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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91215049
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

ALLIANCE POWERSPORTS INC.,)	
Opposer,)	Opposition No. 91215049
v.)	Serial No. 86037963
HAMMER BRAND, LLC.)	Mark: WOLF
Applicant.)	

OPPOSER'S RESPONSE TO APPLICANT'S MOTION FOR SUMMARY JUDGMENT

Opposer, Alliance Powersports, Inc., hereby responds to Applicant's Motion for Summary Judgment through its undersigned counsel, respectfully.

INTRODUCTION

Opposer became the official U.S. distributor of Sanyang Industry Co. Ltd., scooters in May 2011 after the dissolution of the previous U.S. distributor. Opposer was the first U.S. distributor to import the SYM Wolf Classic 150, which Sanyang Industry Co. began producing and distributing internationally in 1974. Alliance Powersports, Inc. began importing and distributing the SYM Wolf Classic 150 in the United States in August 2011. Opposer initiated this Opposition against Applicant, after becoming aware of Applicant's application for the mark "WOLF," for scooters, U.S. Application Serial No. 85608003.

Applicant is a Limited Liability Company organized in Florida. Applicant claims to have

begun using the WOLF mark for Scooters in April 2013. Applicant filed its motion for summary judgment alleging that the relevant facts are not in dispute regarding priority of use in the “WOLF” mark, and that Opposer’s claim should be dismissed as a matter of law.

On the contrary, Opposer has a bona fide claim to the mark “WOLF”—it has used the “WOLF” mark in commerce since 2011, at least two years prior to Applicant’s alleged use. Additionally, Opposer’s mark is well-recognized in conjunction with its motor scooters and has been used continuously since its introduction in 2011. Applicant’s attempted use of the same mark subsequent to Opposer’s known priority date will result in likelihood of confusion.

Given all the relevant facts, taken in a light most favorable to the Opposer, clearly demonstrates a genuine issue of material fact for which summary judgment is not appropriate. Therefore, Applicant’s motion should be dismissed as a matter of law.

COUNTER-STATEMENT OF FACTS

Opposer, Alliance Powersports, Inc. (“Opposer”) became the United States distributor of SYM branded motor scooters manufactured by Sanyang Industry Co., Ltd., in April 2011. Sanyang Industry Co. was founded in 1954 and began manufacturing and distributing the SYMWolf Classic internationally in 1974.

Opposer was the first U.S. distributor to import the SYMWolf Classic into the United States. On August 12, 2011, Opposer publicly announced that the SYMWolf Classic 150 would soon be coming to the U.S. market. **[Exhibit 1]**¹. The first shipment of SYMWolf Classics arrived at a U.S. port on September 15, 2011. Prior to their arrival at port, Opposer had pre-sold approximately 5 SYMWolf Classic scooters to dealerships. **[Exhibit 2]**. Opposer distributes and sells its scooters exclusively through its authorized dealer network. **[Exhibit 3]**.

¹ Opposer’s exhibit numbers are located in the lower right of the document.

Since 2011, Opposer's gross annual sales of SYMWolf Classic Scooters have ranged between \$100,000 and \$580,000. Opposer's marketing and promotion expenditures for the SYMWolf Classic between 2011 and mid 2014 were approximately \$180,000. **[Exhibit 4]**.

Opposer requires its authorized dealers to meet face-to-face with end users to ensure their familiarity with the functions and maintenance of the SYMWolf Classic, including introducing end-users to the Owner's manual. **[Exhibit 5, 6]**.

Opposer's SYMWolf Classic ships from the factory in Taiwan with a copy of the Owner's Manual attached to the keys for each individual scooter. **[Exhibit 6, 7, 8]**. The Wolf mark is prominently displayed on the front cover of each manual. The Owner's Manual has not changed since the SYMWolf was first imported into the US. **[Exhibits 5, 7]**.

Opposer's SYMWolf Classic mark has gained wide public recognition in the scooter market. Opposer's scooter has been reviewed by several independent reviewers including Motorcycle USA, Scooterfile, and Twincities Rider. **[See Exhibits 9--13]**. In addition to reviews of the SYMWolf Classic, the scooter has been featured in several industry publications including Dealer News Magazine, Powersports Business Magazine, Café Racer, and Motorcycle Classics **[Exhibit 14-16]**.

Opposer became aware of Applicant's use of the WOLF mark after receiving an email from another scooter manufacturer who was aware of Applicant's application. **[Exhibit 17]**. Opposer filed the immediate Notice of Opposition against Applicant's WOLF mark prior to the expiration of the opposition period. On December 17, 2014, Applicant filed the current motion.

MEMORANDUM IN SUPPORT OF OPPOSER'S RESPONSE

I. STANDARD FOR SUMMARY JUDGMENT

Summary judgment is only appropriate if there is no genuine issue as to any material fact and the moving party is entitled to a judgment as a matter of law. Fed. R. Civ. P. 56(c). Facts are material if they could affect the outcome of the suit under the governing substantive law. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248, 91 L. Ed. 2d 202, 106 S. Ct. 2505 (1986). The Court must view the facts in the light most favorable to the non-moving party. *Matsushita Elec. Indus. Co. v. Zenith Radio Corp.*, 475 U.S. 574, 587, 89 L. Ed. 2d 538, 106 S. Ct. 1348 (1986). As a result, all justifiable inferences must be drawn in favor of the non-moving party. *United States v. Four Parcels of Real Property*, 941 F.2d 1428, 1437 (11th Cir. 1991) (en banc) (internal punctuation and citations omitted).

A party moving for summary judgment has the burden of demonstrating the absence of any genuine dispute as to a material fact, and that it is entitled to judgment as a matter of law. *See Celotex Corp. v. Catrett*, 477 U.S. 317, 323 (1986); *Sweats Fashions, Inc. v. Pannill Knitting Co. Inc.*, 833 F.2d 1560, 4 USPQ2d 1793, 1796 (Fed. Cir. 1987). A factual dispute is genuine if, on the evidence of record, a reasonable fact finder could resolve the matter in favor of the non-moving party. *See, Opryland USA Inc. v. Great American Music Show Inc.*, 970 F.2d 847, 23 USPQ2d 1471, 1472 (Fed. Cir. 1992); *Olde Tyme Foods, Inc. v. Roundy's, Inc.*, 961 F.2d 200, 22 USPQ2d 1542, 1544 (Fed. Cir. 1992).

Thus summary judgment is not appropriate, where all the relevant facts have not been confirmed, or where there is disagreement as to the facts to be considered, which, when viewed in the light most favorable to the non-moving party, could result in a finding on its behalf. In the instant case, the parties disagree regarding the facts related to Opposer's use of the mark in commerce.

II. THERE IS A GENUINE ISSUE OF MATERIAL FACT AS TO WHETHER OPPOSER'S MARK WAS USED IN COMMERCE PRIOR TO APPLICANT'S FILING FOR REGISTRATION OF A CONFUSINGLY SIMILAR MARK.

In the instant case, summary judgment with regard to determining priority of a mark is not appropriate, because all the evidence taken together creates an issue of material fact which could result in a finding in favor of the Opposer. In determining priority of trademarks, the Board looks at the total picture presented by the evidence. “[W]hether a particular piece of evidence by itself establishes prior use is not necessarily dispositive as to whether a party has established prior use by a preponderance. *Rather, one should look at the evidence as a whole, as if each piece of evidence were part of a puzzle which, when fitted together, establishes prior use.*” *West Florida Seafood, Inc. v. Jet Restaurants*, 31 F.3d 1122, 31 USPQ2d 1660, 1663 (Fed. Cir. 1994). [Emphasis added].

Additionally, use analogous to trademark use must be of “such a nature and extent as to create an association of said [term] with a single source ... sufficient to create a proprietary right in the user deserving of protection.” *Era Corp. v. Electronic Realty Associates, Inc.*, 211 USPQ 734, 745 (TTAB 1981). The manner of use must be “calculated to attract the attention of potential customers or customers in the applicable field of trade” so as to create an association of the term with a single source, even if anonymous. *Liqwacon Corp. v. Browning-Ferris Industries, Inc.*, 203 USPQ 305, 308 (TTAB 1979).

Opposer is the owner of the pending United States Trademark application for WOLF, Serial No. 86130449, for “scooters” in International class 012. As indicated in its application, since at least as early as August 2011, Opposer has been, and is now, using the mark WOLF in connection with the sale of scooters in interstate commerce. Opposer also owns common law rights in the Opposer’s mark. These common law rights cover Opposer’s goods.

Opposer became the official U.S. distributor of Sanyang Industry Co. Ltd., scooters in April 2011 after the dissolution of the previous U.S. distributor. Opposer was the first U.S. distributor to import the SYM Wolf Classic 150, which Sanyang Industry Co. began producing and distributing internationally in 1974. Alliance Powersports, Inc. began importing and selling the SYM Wolf Classic 150 in the United States in August 2011. Contrary to the assertions of Applicant, Hammer Brand, LLC, Opposer has used the WOLF mark in connection with the associated goods, scooters, since August 2011, in accordance with law. Opposer's "WOLF" Mark is prominently displayed on the cover of the owner's manual that is attached to every SYM Wolf. The "WOLF" mark appears on Opposer's order sheet and on the invoices. In addition, the mark is used on Opposer's website as well as the websites of its authorized dealers.

Therefore, because Opposer's sale of its Wolf Classic 150 scooters predates Applicant's application for registration of a confusingly similar mark, Applicant's motion for summary judgment is not appropriate and should be denied as a matter of law.

A. Opposer Has Priority of Use in the WOLF Mark, Where Opposer Has Used the Mark In Commerce Since at Least 2011, Prior to Applicant's Application for Registration For a Confusingly Similar Mark.

Section 45 of the Lanham Act, 15 USC 1127 provides:

The term "use in commerce" means the bona fide use of a mark in the ordinary course of trade, and not made merely to reserve a right in a mark. For purposes of this chapter, a mark shall be deemed to be in use in commerce—

(1) on goods when—

(A) it is placed *in any manner on the goods or their containers or the displays associated therewith or on the tags or labels affixed thereto*, or if the nature of the goods makes such placement impracticable, then on documents associated with the goods or their sale, and

(B) the goods are sold or transported in commerce, and

(2) on services when it is used or displayed in the sale or advertising of services and the services are rendered in commerce, or the services are rendered in more than one State or in the United States and a foreign country and the person rendering the services is engaged in commerce in connection with the services.

[Emphasis added].

An unregistered trademark, or common-law trademark, arises from the adoption and actual use of a word, phrase, logo, or other device to identify goods or services with a particular party. *First Bank v. First Bank Sys., Inc.*, 84 F.3d 1040, 1045 (8th Cir.1996). To establish a common law trademark, the claimant must prove: 1) that it actually used the alleged trademark in connection with its product and 2) that the trademark was identified with the user in the minds of its customers. *Id.* For the first factor, the claimant must show that the mark was "used in commerce." *Chance v. Pac-Tel Teletrac, Inc.*, 242 F.3d 1151, 1157 (9th Cir.2001). "Use in commerce" means that the mark is placed on the goods, and the goods are sold or transported in commerce. 15 U.S.C. § 1127.

The exclusive right to a trademark belongs to one who first uses it in connection with specified goods. *McClean v. Fleming*, 96 U.S. 245, 24 L.Ed. 828 (1877); 3 R. Callman, *Unfair Competition, Trademarks and Monopolies* § 76.2(c) (3d ed. 1969). Such use need not have gained wide public recognition. *Kathreiner's Malzkaffee Fabriken v. Pastor Kneipp Medicine Co.*, 82 F. 321 (7th Cir. 1897); *Waldes v. International Manufacturers' Agency*, 237 F. 502 (S.D.N.Y. 1916). Even a single use in trade may sustain trademark rights if followed by continuous commercial utilization. *Ritz Cycle Car Co. v. Driggs-Seabury Ordnance Corp.*, 237 F.125 (S.D.N.Y.1916).

A putative trademark owner uses a mark in commerce for purposes of the Act if he uses it in a manner "*sufficiently public to identify or distinguish marked goods in appropriate segment of public mind.*" *Harod v Sage Prods., Inc.* 188 F Supp 2d 1369, 62 USPQ2d 1022 (2002, SD Ga), reconsideration den, dismd, dismd without prejudice, in part, injunction gr (2002, SD Ga) 2002 US Dist LEXIS 16822 [citing *BLUE BELL, INC. v. FARAH MANUFACTURING COMPANY, INC.*, 508 F.2d 1260 (5th Cir. 1975)].

In the instant case, Opposer has offered its SYM WOLF Classic 150 model scooter for sale since August 2011. **[Exhibit 18]**. Opposer's WOLF scooters have been and continue to be sold directly to dealerships throughout the United States, who resell the scooters to individual consumers. **[Exhibit 2]**. Every WOLF scooter sold by Opposer to a dealership since 2011 has included an instruction manual, which prominently bears Opposer's WOLF mark. **[See, Exhibits 5-7, 19, 20]**. In addition, each dealership is required, as part of its agreement with Opposer, to inform the owner of what is needed to properly use, maintain and care for the scooter, as outlined in the Alliance Power Sports and SYM Owner's manual. **[See, Exhibits 7, 21]** redacted copy of dealer agreement, copy of statements from dealerships that the manual is part of the sale process regarding the use and maintenance of the SYM Wolf.)

1. *Opposer's inclusion of the WOLF mark on the Instruction Manual with each WOLF scooter sold constitutes "use in commerce" for purposes of the Act*

A mark prominently displayed on the instruction manual for a party's goods constitutes "use" pursuant to the Trademark Act. The Board has previously and consistently found that such use may be "as much a part of applicant's goods" as the goods themselves, and integral to their use, and therefore may be accepted as evidence of "affixation to the goods." *See, In re Ultraflight Inc.*, 221 USPQ 903, 906 (TTAB 1984).

In *Ultraflight, supra.*, applicant, Ultraflight Inc., appealed from a Trademark Examining Attorney's final refusal to register its mark "LAZAIR" for "powered hang-gliders." Ultraflight appealed from a Trademark Examining Attorney's final refusal to register its mark "LAZAIR" for "powered hang-gliders" on the grounds that applicant failed to submit evidence showing that its mark had been "used in commerce" within the meaning of Section 45 of the Trademark Act.

To support its claim, Ultraflight indicated that the products in connection with the word "LAZAIR" were powered hang-gliders sold in the form of kits. In addition to the various parts of the hang-gliders, Ultraflight submitted evidence showing that the kits included instruction manuals for the product, which bore the word "LAZAIR" on the first page of the manual. One complete copy of the manual and several copies of the manual's first page (bearing the word "LAZAIR") were submitted as specimens of use.

Not unlike Applicant in the instant case, the Examining Attorney in *Ultraflight* relied on the prior inapplicable Board opinions to suggest that use of a mark on any sort of instruction sheet or manual packed with the goods is not, as a matter of law, "use in commerce" under the Act. However, the Board found that the Examining Attorney's position reflected a misapprehension of the requirements for demonstrating use of a mark in commerce within the meaning of the Lanham Act and noted:

It appears to be the Examining Attorney's position that, in order to be registrable, a mark must be visible to the purchaser at the time the sale of the goods is consummated. This requirement is clearly not a statutory one. The Act requires only that the mark be applied to the goods or to a tag or label for the goods or to a display associated with the goods and that the goods be sold or transported in commerce. The discussion in *Bright of America* concerning the requirement that a mark be used in a manner designed to consummate a sale was in the context of defining the term "display associated with the goods. That discussion was not concerned with what constitutes a showing that a mark is applied to the goods themselves within the meaning of the Act. In this case, indeed, applicant concedes that placing its mark on instruction manuals packed with the goods is not use in the manner of a display associated with the goods. Applicant's position is, rather, that such use of the mark is an affixation of the mark to the goods themselves. We agree.

[Internal Citations Omitted]. Determining what constitutes a mark "placed in any manner on the goods or... on the tags or labels affixed thereto" within the meaning of the Act, therefore, requires more than characterizing the specimens as "inserts" or "instruction booklets" and automatically refusing registration.

Where the "insert" or "instruction sheet" is, by any reasonable interpretation, part of the goods themselves, application of the mark to such an "insert" or "instruction sheet" is an application of the mark to the goods. *Id.* Thus the Board found that the assembly instruction manual packed with applicant's gliders and bearing the "LAZAIR" mark was an acceptable specimen of use. *Id.*

The Board has consistently maintained its holding in *Ultraflight*. Section 904.07 of the Trademark Manual of Examination Procedures provides

If material inserted in a package with the goods is merely advertising material, then it is not acceptable as a specimen of use on or in connection with the goods. Material that is only advertising does not necessarily cease to be advertising because it is placed inside a package.

Materials such as invoices, announcements, order forms, bills of lading, leaflets, brochures, printed advertising material, circulars, publicity releases, and the like, are not acceptable specimens to show use on goods. See *In re Bright of America, Inc.*, 205 USPQ 63 (TTAB 1979).

However, if printed matter included with the goods functions as a part of the goods, such as a manual that is part of a kit for assembling the product, then placement of the mark on that printed matter does show use on the goods. In re Ultraflight Inc., 221 USPQ 903, 906 (TTAB 1984) ("We believe the instruction manual is as much a part of applicant's goods as are the various parts that are used to build the gliders. Application of the mark to the manual of assembly instructions, then, must be considered affixation to the goods.").

[Emphasis added].

Applicant in the instant case argues that an instruction manual clearly bearing Opposer's WOLF mark is not evidence of "use in commerce" as a matter of law. Applicant's argument mirrors that of the Examining Attorney's failed argument in *Ultraflight*. Applicant argues that "proper marking in commerce must be open such that purchasers are aware of branding while shopping." [Applicant's Motion for Summary Judgment, p 14]. As noted by the Board in *Ultraflight*, however, this requirement is not a statutory one--the Act requires only that the mark

be applied to the goods or to a tag or label for the goods or to a display associated with the goods and that the goods be sold or transported in commerce. 15 USC 1127. The requirement that a mark be used in a manner designed to consummate a sale is a component of the analysis used to determine whether a purported “display associated with the goods” meets the requirements of the Act. In the instant case, however, inclusion of Opposer’s WOLF mark on the instruction manual included with the goods constitutes “on the goods” for purposes of the Act. Therefore, an enticement to sale is not a necessary component of the analysis and Applicant’s assertions are not only out of context but are in error.

Opposer has included the instruction manual for the WOLF scooter with every scooter sent to the purchasing dealerships since 2011. Opposer’s inclusion of its WOLF mark on the instruction manual included with the scooter at the point of purchase raises a genuine issue of material fact as to whether this constitutes “use” under the Act. This is not a determination that should be made “as a matter of law” as the Applicant suggests, but instead, should be made only after a thorough examination of the evidence as a whole, “as if each piece of evidence were part of a puzzle which, when fitted together, establishes prior use.” *West Florida Seafood, Inc., supra*.

There is a genuine issue of material fact, which could result in a finding in favor of the non-moving party, Opposer. Applicant’s motion for summary judgment is, therefore, improper and should be denied as a matter of law.

2. *Opposer’s inclusion of the WOLF mark product order forms, sales brochures, its webpage, and webpages of its authorized dealership constitutes “use in commerce” for purposes of the Act*

Opposer’s Wolf mark has also been in use in commerce via materials and on webpages related to the sale of its SYM Wolf Classic 150 scooter since at least 2011 and prior to Applicant’s use of the confusingly identical Wolf mark. This use creates a genuine issue of

material fact as to whether Opposer's use in commerce of its WOLF mark predates Applicant's purported use.

In addition to use of the mark on the goods as described above, the Act considers a mark to be in use in commerce on goods when "it is placed in any manner on...the displays associated" with the goods. In the case of displays, it is necessary to "determine whether the specimen is mere advertising or whether, in addition to advertising, the specimen is also a display associated with the goods." *In re Osterberg*, 83 USPQ2d 1220, 1222 (TTAB 2007).

The determination of whether a specimen of use is a display associated with the goods or merely advertising is a question of fact: "whether the purported point-of-sale display provides the potential purchaser with the information normally associated with ordering products of that kind." *In re Azteca Sys., Inc.*, 102 USPQ2d at 1957 (citing *Lands' End*, 797 F. Supp. at 514, 24 USPQ2d at 1316); *In re Hydron Techs. Inc.*, 51 USPQ2d 1531, 1533 (TTAB 1999); *In re Anpath Group, Inc.*, 95 USPQ2d 1377 (TTAB 2010) (flyer that provided website and/or a telephone number for contacting applicant's sales representatives lacked sufficient information to be considered a display associated with its goods).

A point-of-sale display is "calculated to consummate a sale"; that is, it includes the information necessary for the consumer to decide whether or not to purchase the goods, and it must appear in a setting that allows the consumer to immediately buy the goods. *In re Quantum Foods, Inc.*, 94 USPQ2d at 1379 (quoting *In re Bright of Am., Inc.*, 205 USPQ 63, 71 (TTAB 1979)); *In re Anpath Grp.*, 95 USPQ2d at 1382; *In re MediaShare Corp.*, 43 USPQ2d at 1305; *Lands' End Inc.*, 797 F. Supp. at 514, 24 USPQ2d at 1316. On the other hand, an advertisement merely describes or touts the benefits of the goods, influences people to buy them, or informs the public about the goods and the company that provides them. *In re Anpath Grp.*, 95 USPQ2d at

1381-82; *In re Quantum Foods, Inc.*, 94 USPQ2d at 1379. It does not offer a way to directly purchase the goods, because it either does not contain an offer to accept orders for the goods or does not provide special instructions for placing orders for the goods. *In re Quantum Foods, Inc.*, 94 USPQ2d at 1380; *In re Osterberg*, 83 USPQ2d at 1224.

A display must be associated directly with the goods offered for sale. It must bear the trademark prominently. However, it is not necessary that the display be in close proximity to the goods. See *In re Marriott Corp.*, 459 F.2d 525, 173 USPQ 799 (C.C.P.A. 1972); *Lands' End Inc. v. Manbeck*, 797 F. Supp. 511, 24 USPQ2d 1314 (E.D. Va. 1992).

Displays associated with the goods essentially comprise point-of-sale material such as banners, shelf-talkers, window displays, menus, and similar devices. These items must be designed to catch the attention of purchasers and prospective purchasers as an inducement to make a sale. Further, the display must prominently display the trademark in question and associate it with, or relate it to, the goods. *In re Osterberg*, 83 USPQ2d 1220 (TTAB 2007); *In re Morganroth*, 208 USPQ 284 (TTAB 1980) (purported mark was so obfuscated on the specimen that it was not likely to make any impression on the reader). The display must be related to the sale of the goods such that an association of the two is inevitable. See *In re Bright of America, Inc.*, 205 USPQ 63 (TTAB 1979), and cases cited therein. See also *In re ITT Rayonier Inc.*, 208 USPQ 86 (TTAB 1980). Cf. *In re Shipley Co. Inc.*, 230 USPQ 691 (TTAB 1986); *In re Jones*, 216 USPQ 328 (TTAB 1982).

Additionally, use analogous to trademark use must be of "such a nature and extent as to create an association of said [term] with a single source ... sufficient to create a proprietary right in the user deserving of protection." *Era Corp. v. Electronic Realty Associates, Inc.*, 211 USPQ 734, 745 (TTAB 1981). The manner of use must be "calculated to attract the attention of

potential customers or customers in the applicable field of trade” so as to create an association of the term with a single source, even if anonymous. *Liqwacon Corp. v. Browing-Ferris Industries, Inc.*, 203 USPQ 305, 308 (TTAB 1979).

a) Opposer’s Use of Its WOLF Mark on Point-of-Sale Brochures and Order Forms Since at Least 2011 constitutes “use” under the Act.

Folders, brochures, or other materials that describe goods and their characteristics or serve as advertising literature are not per se “displays,” but instead are permitted where a party submits evidence that they are part of a point-of-sale presentation. *In re Schiapparelli Searle*, 26 USPQ2d 1520 (TTAB 1993); *In re Drilco Industrial Inc.*, 15 USPQ2d 1671 (TTAB 1990). Such evidence must consist of more than an applicant's statement that copies of the material were distributed at sales presentations or tradeshow. A mere statement that advertising and promotional materials are used in connection with sales presentations is not sufficient, alone, to transform advertising and promotional materials into displays used in association with the goods. *Osterberg*, 83 USPQ2d 1220, 1224; *In re Ancha Electronics Inc.*, 1 USPQ2d 1318 (TTAB 1986); (holding that a photograph showing an informational flyer or leaflet clearly depicting the mark and presented on the goods at a trade show exhibit was an acceptable display associated with the goods); *In re Columbia Chase Corp.*, 215 USPQ 478 (TTAB 1982) (holding that folders and brochures describing goods and their characteristics or serving as advertising literature are not displays, and the appearance of marks and product photographs in such literature does not per se amount to use of a mark on displays without evidence of point-of-sale presentation).

In *Osterberg, infra.*, the Board recognized that a brochure or flyer containing a party’s mark may be considered as a display for purposes of use under the Act, where a party can provide evidence, for example, that the brochure or flyer is used to make an association between

the mark and the products, which are jointly presented in a point-of-sale context. In the instant case, Opposer's informational brochures and order sheet, which its sales staff rely on when meeting with consumer dealerships, are integral to the point-of-sale process and provide an indisputable connection between Opposer's goods and its relevant WOLF mark. **[Exhibits 22-24]**. Opposer consistently brings these materials to trade shows and business-to-business sales meetings, at which interested dealerships can make, or arrange a purchase of the goods as shown.

b) Displays of Opposer's WOLF mark on Internet webpages constitute "use" in accordance with the Act

Displays associated with the goods also exist in an electronic or online environment in the form of web pages. These "electronic displays" perform the same function as traditional displays and must meet the same standards for an acceptable specimen as traditional displays. *See In re Sones*, 590 F.3d 1282, 1288, 93 USPQ2d 1118, 1123 (Fed. Cir. 2009); *In re Dell Inc.*, 71 USPQ2d 1725, 1727 (TTAB 2004). A web page that displays a product can constitute a "display associated with the goods" if it:

- 1) contains a picture or textual description of the identified goods;
- 2) shows the mark in association with the goods; and
- 3) provides a means for ordering the identified goods.
- 4)

See In re Sones, 590 F.3d 1282, 1288, 93 USPQ2d 1118, 1123 (Fed Cir. 2009); *In re Azteca Sys., Inc.*, 102 USPQ2d 1955, 1957-58 (TTAB 2012); *In re Dell Inc.*, 71 USPQ2d 1725, 1727 (TTAB 2004); *Lands' End v. Manbeck*, 797 F. Supp. 511, 514, 24 USPQ2d 1314, 1316 (E.D. Va. 1992).

Additionally, a web page from a third-party website may be acceptable as a display if the mark is sufficiently associated with the first party's goods. *See In re Osterberg*, 83 USPQ2d at 1221, 1223-24 (finding the specimen unacceptable not because it was a web page from a third-party website, but because it neither showed the mark in association with the goods nor provided a means for ordering the goods). Similarly, a web page from a third-party social-media website may also be accepted provided that the web page satisfies the elements of a display specimen.

A point-of-sale web-page display must provide a means of ordering the goods, either directly from the web page itself (e.g., web page contains a “shop online” button or link) or from information gleaned from the web page (e.g., web page lists a telephone number designated for ordering). See *In re Quantum Foods, Inc.*, 94 USPQ2d 1375, 1378-79 (TTAB 2010); *In re Osterberg*, 83 USPQ2d 1220, 1224 (TTAB 2007). If the goods cannot be purchased from the web page then the web page is merely an advertisement and not a display associated with the goods. See *In re Quantum Foods, Inc.*, 94 USPQ2d at 1378-80; *In re Osterberg*, 83 USPQ2d at 1224; *In re Genitope Corp.*, 78 USPQ2d 1819, 1822 (TTAB 2006).

Opposer’s website provides extensive marketing information about its SYM WOLF Classic 150 scooter. The website displays the WOLF mark along with the goods associated with the mark, the specifications of the SYM Wolf Classic scooter. See, <http://www.alliancepowersports.com/models/wolf.html>. From Opposer’s website, prospective purchasers are able to look up a dealership in their area and be provided with the local dealer’s name, phone number, address, and website.

Furthermore, the WOLF Classic 150 scooter is offered for sale on third-party, authorized SYM dealership websites.² [Exhibits 25, 26] Each of these sites contains a picture and textual description of the Opposer’s goods, clearly showing the Mark in association with the goods, and providing a means for ordering the identified goods. For example, the websites www.iheartscooters.com and www.scooterdynasty.com provide a link for customization,

² <http://www.iheartscooters.com/scooters/sym-Wolf-Classic-150.php>;
<http://www.scooterdynasty.com/150ccsymwolfclassic.aspx>;
<http://www.townandcountrycycles.com/store/index.php?cPath=66>

purchase and payment directly on the page related to the WOLF model scooter. Similarly, third-party resellers provide the same services for used models of Opposer's goods³. [Exhibit 27].

In light of the preceding, there is a genuine issue of material fact as to whether Opposer's inclusion of its WOLF mark on point-of-sale brochure, price lists, and its use on third-party webpages, could result in a finding in favor of the non-moving party, Opposer. Applicant's motion for summary judgment is, therefore, improper and should be denied as a matter of law.

III. APPLICANT'S MOTION FOR SUMMARY JUDGMENT SHOULD BE DENIED WHERE OPPOSER HAS USED THE MARK IN COMMERCE SINCE AT LEAST 2011, AND THERE IS LIKELIHOOD OF CONFUSION BETWEEN THE PARTIES' MARKS.

Applicant's motion for summary judgment is not proper, wherein Opposer has priority of use in the competing marks, and a likelihood of confusion exists between Opposer's WOLF mark and Applicant's identical alleged use of the same mark for similar goods.

The proper focus of Sec. 2(d) is not on "mark" or "trade name," but upon the phrase, "likely * * * to cause confusion, or to cause mistake or to deceive." *Towers v Advent Software, Inc.*, 913 F.2d 942, 16 U.S.P.Q.2d 1039 (Fed. Cir. 1990). The inquiry is not simply whether confusion is likely, but whether confusion as to source is likely and further, if that confusion results from trade identity rights in opposer which the law will recognize. *Id.*; *see also, Otto Roth & Co., Inc. v. Universal Foods Corp.*, 640 F.2d 1317, 209 USPQ 40, 43 (CCPA 1981).

Under section 2(d), as utilized in an opposition, confusion, or a likelihood thereof, a claim is not recognized where one claiming to be aggrieved by that confusion does not have a right superior to his opponent's, or where he has not proved that that which he claims identifies him as the source of goods or services actually does so. *Accord Sweats Fashions, Inc. v. Pannill Knitting*

³ <http://orangecounty.craigslislist.org/search/mca?query=SYM+Wolf+Classic>

Co., 833 F.2d 1560, 1566, 4 USPQ2d 1793, 1798 (Fed.Cir.1987); *Avtex Fibers, Inc. v. Gentex Corp.*, 223 USPQ 625, 626 (TTAB 1984).

In *In re E.I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (C.C.P.A. 1973, the Court of Customs and Patent Appeals discussed the following factors relevant to a determination of likelihood of confusion: the similarity or dissimilarity of established, likely-to-continue trade channels; the conditions under which and buyers to whom sales are made; the fame of the prior mark; the number and nature of similar marks in use on similar goods; the nature and extent of any actual confusion; the length of time during and conditions under which there has been concurrent use without evidence of actual confusion; the variety of goods on which a mark is or is not used; the market interface between the applicant and the owner of a prior mark; the extent to which applicant has a right to exclude others from use of its mark on its goods; the extent of potential confusion; and any other established factor probative of the effect of use.

There is no mechanical test for determining likelihood of confusion. The issue is not whether the actual goods are likely to be confused but, rather, whether there is a likelihood of confusion as to the source of the goods. *In re Shell Oil Co.*, 992 F.2d 1204, 1208, 26 USPQ2d 1687, 1690 (Fed. Cir. 1993), and cases cited therein. Each case must be decided on its own facts.

A. Fame Of Opposer's Mark

Opposer has established at least one relevant element to show that there is a likelihood of confusion between Opposer's "WOLF" mark and the Applicant's mark. As the prior user of the mark, the fame of Opposer's "WOLF" mark is one relevant and integral factor to be considered. Opposer's WOLF mark is well-known and has gained extensive renown in the United States since 2011. This fact, in conjunction with Opposer's use of the WOLF mark in commerce

creates, at the very least, a genuine issue of material fact for which summary judgment is not appropriate. Furthermore, considering all the facts in favor of the non-moving party, this Board should determine that a finding in favor of the Opposer is appropriate under the law.

The fame of a registered mark is a factor to be considered in determining likelihood of confusion. *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973). Famous marks enjoy a wide latitude of legal protection because they are more likely to be remembered and associated in the public mind than a weaker mark. *Palm Bay Imports, Inc. v. Veuve Clicquot Ponsardin Maison Fondée en 1772*, 396 F.3d 1369, 1374, 73 USPQ2d 1689, 1694 (Fed. Cir. 2005); *Bose Corp. v. QSC Audio Products Inc.*, 293 F.3d 1367, 63 USPQ2d 1303 (Fed. Cir. 2002) (Trademark Trial and Appeal Board erred in discounting the fame of opposer's marks ACOUSTIC WAVE and WAVE); *Recot, Inc. v. M.C. Becton*, 214 F.3d 1322, 1327, 54 USPQ2d 1894, 1897 (Fed. Cir. 2000) (Board erred in limiting the weight accorded to the fame of opposer's FRITO-LAY mark); *Kenner Parker Toys Inc. v. Rose Art Industries, Inc.*, 963 F.2d 350, 352, 22 USPQ2d 1453, 1456 (Fed. Cir. 1992), cert. denied, 506 U.S. 862 (1992) (Board erred in discounting the fame of opposer's mark PLAY-DOH).

The Court of Appeals for the Federal Circuit has stated:

[A] mark with extensive public recognition and renown deserves and receives more legal protection than an obscure or weak mark.

Achieving fame for a mark in a marketplace where countless symbols clamor for public attention often requires a very distinct mark, enormous advertising investments, and a product of lasting value. After earning fame, a mark benefits not only its owner, but the consumers who rely on the symbols to identify the source of a desired product. Both the mark's fame and the consumer's trust in that symbol, however, are subject to exploitation by free riders.

Kenner Parker Toys, 963 F.2d at 353, 22 USPQ2d at 1456.

When present, the fame of the mark is "a dominant factor in the likelihood of confusion analysis for a famous mark, independent of the consideration of the relatedness of the goods."

Recot, Inc. v. M.C. Becton, 214 F.3d 1322, 1328, 54 USPQ2d 1894, 1898. When determining likelihood of confusion, fame is measured with regard to "the class of customers and potential customers of a product or service, and not the general public." *Palm Bay Imports*, at 396 F.3d 1375, 73 USPQ2d 1695. It is not necessary to show recognition by every segment of the population.

Direct evidence of consumer recognition of a mark is not necessary. The "fame of a mark may be measured indirectly, among other things, *by the volume of sales and advertising expenditures of the goods traveling under the mark, and by the length of time those indicia of commercial awareness have been evident.*" See *Bose*, 293 F.3d at 1371, 63 USPQ2d at 1305 [emphasis added], and cases cited therein. It is important to consider the context of how the proposed mark is presented in sales and advertising materials. In *Bose*, the Court found that evidence of extensive sales and advertising expenses established the fame of opposer's WAVE and ACOUSTIC WAVE marks, noting that opposer's sales literature, advertisements, and promotional materials included frequent and prominent references to the marked product separate and apart from the house mark BOSE.

In *Tiffany & Broadway v. Commissioner*, 167 F. Supp.2d 949 (S.D. Tex. 2001), the fame of four registered marks cited against the applicant was a significant factor in finding a likelihood of confusion. The ex parte record included excerpts from 18 news articles where the registrant Tiffany & Company was identified as a famous business; citations to three published decisions in which the fame of the TIFFANY mark had been judicially recognized; and evidence that the registrant's goods were sold at over 60 Tiffany locations worldwide--including 34 in the United States--and through independently-owned retail stores and mail order outlets.

Similarly, in the instant case the SYM Wolf Classic has been the subject of several independent reviews for publications in the scooter and powersports market. [*See, Exhibits 9-13*].

The SYM Wolf is also the subject of a wide variety of Consumer Forums including the team wolf classic blog⁴; sym forum⁵; Grom vs. Sym Wolf 150 forum⁶; and a forum in Adventure Rider.⁷ Based on the board's ruling in *Tiffany & Broadway*, the above display of publications, reviews, and forums show that the WOLF mark does contain an element of fame, which should be used when determining if there will be a likelihood of confusion between Opposer's mark and any secondary WOLF mark presented by Applicant.

B. Other Relevant Factors

In addition to the considerations regarding the fame of Opposer's mark, and in light of Opposer's extensive use of the "WOLF" mark since 2011, Applicant's registration of the same mark will create a likelihood of confusion between the sources of goods. The significant similarities between the parties' goods, the conditions under which buyers purchase the goods, and Opposer's significant priority in use of the mark all contribute to create a likelihood of confusion, for which summary judgment in favor of Applicant is not appropriate.

IV. CONCLUSION

Summary judgment with regard to determining priority to Opposer's use of the "WOLF" mark is not appropriate. The cumulative evidence in this case gives rise to multiple questions of material fact, which could result in a finding in favor of the Opposer. Opposer has offered for

⁴ <http://teamwolfclassic.blogspot.com/>,

⁵ <http://symforum.com/index.php?topic=1150.0>,

⁶ <http://www.gromforum.com/forum/honda-grom-versus-competition/29074-grom-vs-sym-wolf-classic-150-a.html>

⁷ <http://www.advrider.com/forums/showthread.php?t=897993&page=2>

sale its Wolf Classic 150 scooters since 2011, two years before Applicant's application for registration of its confusingly similar mark. Opposer's inclusion of its WOLF mark on the instruction manual included with the scooter at the point of purchase raises a genuine issue of material fact as to whether this constitutes "use" under the Act. Furthermore, use of the "WOLF" mark by Opposer's authorized dealerships and other sellers in connection with the goods constitutes use as a display related to the goods also raises a genuine issue of material fact. Therefore, a determination in this matter is not one that should be made "as a matter of law" but instead, should be made only after a thorough examination of the evidence as a whole, "as if each piece of evidence were part of a puzzle which, when fitted together, establishes prior use."

There are genuine issues of material fact, which could result in a finding in favor of the non-moving party, Opposer. Applicant's motion for summary judgment is, therefore, improper and should be denied as a matter of law.

CERTIFICATE OF SERVICE

I hereby certify that on January 16, 2015, a true and correct copy of Opposer's Response to Applicant's Motion for Summary Judgment was served on:

SHANNON MCCUE
HAHN LOESER & PARKS LLP
200 PUBLIC SQUARE, SUITE 2800
CLEVELAND, OH 44114
UNITED STATES

trademarks@hahnlaw.com, bareese@hahnlaw.com, smccue@hahnlaw.com, bclark@hahnlaw.com,
mcsoulsby@hahnlaw.com, rbabbitt@babbitt-lawfirm.com

By Priority Mail.

I further certify that the foregoing paper is being filed electronically via the Electronic System for Trademark Trials and Appeals (ESTTA).

Date: January 16, 2015

/JungJin Lee/
JungJin Lee



Lance Powersports

Product/Service

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Lance Powersports shared Rock Road Scooter Company's photo.
6 hrs ·



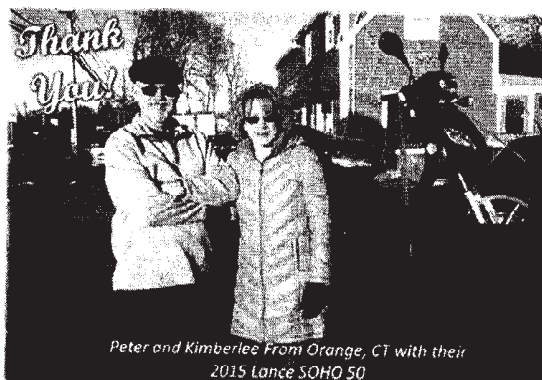
Rock Road Scooter Company

Weather in the teens in the Gateway City.....can't wait to warm up on the new "CABO" Enjoy your new bike. Lance Powersports

Like · Comment · Share · 4

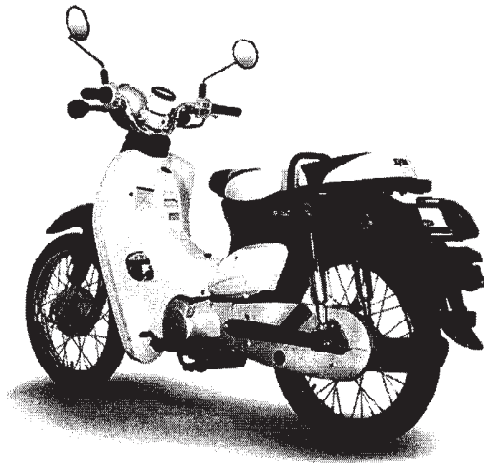


Lance Powersports shared Connecticut Scooter Pros's photo.
23 hrs ·



Peter and Kimberlee From Orange, CT with their 2015 Lance SOHO 50

Exhibit



Like · Comment · Share · 2 1



Lance Powersports added a new photo.
November 3, 2011 ·



SYM
Engine of Life

alliance
powersports

Like · Comment · Share · 1 3



Lance Powersports
October 24, 2011 ·

The first 5 people to post a picture of themself with their new 2012 SYM scooter or Wolf Classic will receive \$40.00 credit on their first oil change!
Ride Safe

Like · Comment · Share · 1 9



Lance Powersports
October 21, 2011 ·

<http://www.twincitiesrider.com/symwolf012.htm>



SYMWolf012

SYM Wolf Classic 150cc Motorcycle

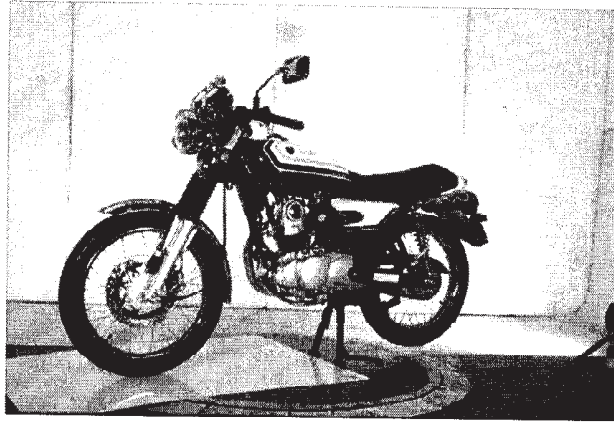
TWINCITIESRIDER.COM

Like · Comment · Share · 1



Lance Powersports
October 20, 2011 ·

Please go see the just released review of the 2012 SYM Wolf Classic written by David Harrington from Just Gotta Scoot
<http://www.twincitiesrider.com/symwolf012.htm>



Like · Comment · Share · 2



Lance Powersports

September 23, 2011 ·

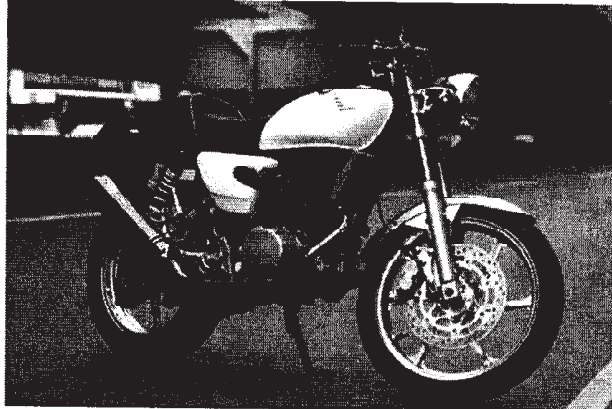
The Wolf Classic 150cc is absolutely stunning out of the box! The first dealer in the country to have it on their showroom?? NoHo Scooters 818-761-3647 out of North Hollywood! Please go visit Mike & the team at 5144 Vineland and see the SYM bikes in person, Thanks Mike!

Like · Comment · Share · 1



Lance Powersports added a new photo.

September 20, 2011 ·



Like · Comment · Share · 4 7



Lance Powersports

September 20, 2011 ·

The Wolf Classic Is Here!! The Wolf Classic is Here!!!

Like · Comment · Share · 1 1



Lance Powersports

September 20, 2011 ·

So we are done crying Wolf!!! The Wolf Classic 150cc just cleared customs, they are off of the ship and on the back of a big rig in route to our warehouse!! Now What!

Like · Comment · Share · 2 5



Lance Powersports

September 15, 2011

The SYM Wolf Classic 150cc is at the port!!! A day or two to unload the ship and provided everything goes smooth at the port we should have them middle of next week. I hope you pre-ordered because your going to be disappointed if you didn't!! Ride Safe.

Like · Comment · Share · 5 1 1

YESSSSSSSS!!

Like · Comment · Share · 8 1



Lance Powersports

August 26, 2011 ·

ootyscooters.com This is the website of Ooty's Scooters (one of the best dealers in the nation in every category!) out of Santa Barbara, Ca. Please go see the new 2012 Wolf Classic on their site and we hope on their showroom and showrooms across the country very soon!! If you're ever in or around Santa Barbara stop by and see Chris and the crew 629 E. Haley 805-965-8101, ride safe!

Like · Comment · Share · 2 3



Lance Powersports

August 24, 2011 ·

So the 2012 HD 200 EVO with the disc brake, powder coated black forks and rims along with stitching in the seat to match the color of the bike, Awesome!!! The 2012 Symba and Fiddle 11 have also arrived, and the much anticipated Wolf Classic 150cc is on the water with an arrival date of just after Labor Day! Let's get this party started! Ride Safe! Mike @ Alliance Powersports

Like · Comment · Share · 2 1



Lance Powersports

August 22, 2011 ·

This exceptional design of SYM bike series will absolutely be a focus under spotlights. The SYM Wolf has street-smart styling that reveals the compact chassis and single-cylinder engine. With its dazzling look, Wolf Classic is great with the nimble handling and comfortable riding position. The masculine tank cannot be ignored once this bike occurs into the eyesight. When maneuvering this machine, any riders will immediately find the joy of riding

Like · Comment · Share · 5 3



Lance Powersports

August 19, 2011 ·

I guess it's 2012 HD 200 EVO time!!!

Like · Comment · Share · 5 4



Lance Powersports added a new photo.

August 19, 2011 ·

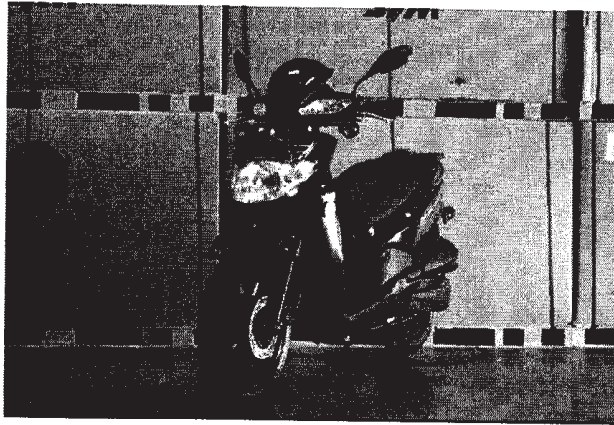


Like · Comment · Share · 6 4



Lance Powersports added a new photo.

August 19, 2011 ·



Like · Comment · Share · 1 1



Lance Powersports

August 12, 2011 ·

The Wolf Classic and the Fiddle 11 will follow soon!

Like · Comment · Share · 4 11



Lance Powersports

August 12, 2011 ·

Our 2012 SYM HD200's have arrived as have the 2012 Symba's

Like · Comment · Share · 6 8



Lance Powersports

August 4, 2011 ·

We're Live! <http://lancepowersports.com>

Lance Powersports | Setting new standards

Come get your scooter with us.

LANCEPOWERSPORTS.COM

Like · Comment · Share · 5 3



Lance Powersports

August 1, 2011 ·

Hey Nathalie, The trunks are a special order but yes we can get them, please contact your local dealer or email our parts guy if there is no dealer near you. michael.mcdaniel@alliancepowersports. Shirts, Hats, etc. are in the works for middle of spring/summer 2012. Ride Safe.

Like · Comment · Share · 1

PEOPLE

6,088 likes

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ABOUT

Lance - Passion to Redefine

<http://www.lancepowersports.com/>

Suggest Edits

APPS

SYM Dealers Locator



Lance Powersports

July 22, 2011 ·

<http://lancepowersports.com/demo/>

Like · Comment · Share · 1



Lance Powersports

July 22, 2011 ·

<http://lancepowersports.com/de mo/>

<http://lancepowersports.com/de>

LANCEPOWERSPORTS.COM

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Exhibit 2

Commercially Sensitive

QuickBooks Sales Item by Detail Report

Exhibit 3

Commercially Sensitive

List of Authorized Dealers

Exhibit 4

Commercially Sensitive

QuickBooks Reports

Affidavit of David Neighbors

I, David Neighbors, swear and affirm:

- 1) That I am the owner of HB Scooters, located at 16582 Gothard St #A, Huntington Beach, Ca 92647
- 2) That at least as early as 6/2/11 my dealership has been an authorized SYM dealer thru Alliance Powersports, Inc.
- 3) On or about 9/23/2011, my dealership received its first shipment of the SYM Wolf Classic 150.
- 4) Since 9/23/2011, my dealership has received regular shipments of the SYM Wolf Classic 150.
- 5) Since 9/23/2011 the SYM Wolf Classic 150 model has not been changed.
- 6) Customers of my dealership are very familiar with the Wolf Classic 150, referring to it as the "WOLF" or "SYM WOLF" and the SYM Wolf Classic 150 has built up a loyal following of enthusiasts in the market who continue to enhance the brand SYM and specifically the name WOLF as it relates to the SYM Wolf Classic 150.
- 7) Due to the proximity of my dealership to the U.S. SYM distributor, Alliance Powersports, the distributor performs a partial PDI on the SYM Wolf Classic 150 motorcycles prior to delivery to my dealership.
- 8) Each SYM Wolf Classic 150 is delivered to my dealership out of the original shipping container with the handlebars attached. The remaining PDI is performed at my dealership including mirror attachment, battery prep and installation. These parts are in a small box delivered with the motorcycle along with the owner's manual.
- 9) Attached to this affidavit is a copy of the SYM Wolf Classic owner's manual.
- 10) I am very familiar with the SYM Wolf Classic owner's manual.
- 11) Since September 23rd 2011, my dealership has sold at least 40 Wolfs.
- 12) During the sales process I review the owner's manual with the SYM Wolf Classic customers.
- 13) The owner's manual has not materially changed since my dealership received a SYM Wolf Classic 150 into stock in 2011. The Wolf mark has always appeared on the front cover of the manual in old-English type calligraphy font.

Further affiant saith not.

(SIGNATURE PAGE FOLLOWS)

Exhibit

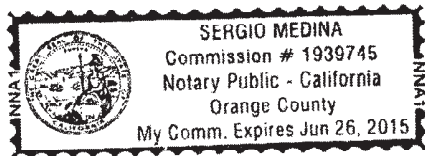
5

10/13/14 [Signature]
Date David Neighbors

STATE OF CALIFORNIA)
County of ORANGE)ss
)

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by David Neighbors, this
13 day of OCT, 2014.

(Notarial Seal)



Sergio Medina
Printed Name: Sergio Medina
Notary Public for the State of California
Residing at: Huntington Beach CA
My Commission expires: JUN-26-2015

SWORN DECLARATION

I, Gregory Brown, swear an oath and under penalty of perjury that the following statements, facts and representations are true:

1. I am the owner of Scooter of Louisiana, an authorized Alliance Powersports, SYM dealership.
2. My duties include purchasing and sales of SYM scooters.
3. My dealership purchased its first SYMWolf Classic 150 on or about August 26, 2011 from Alliance Powersports.
4. When placing orders for scooters from Alliance Powersports, I refer to the SYMWolf Classic 150, as the SYMWolf or the Wolf.
5. My dealership pays for all our scooters from Alliance Powersports at the time we place our order.
6. When we receive the SYMWolf Classic in our dealership, the manual is attached to the keys to the scooter.
7. Prior to leaving our dealership, our customers who purchase a SYMWolf are given an introduction to the scooter, including general maintenance, features and are shown the manual.

I declare under penalty of perjury that the foregoing is true and correct. Executed on 1/13/2015:


Signature

Gregory G Brown
Printed Name

Exhibit

6

SWORN DECLARATION OF MICHELE STANLEY

I, Michele Stanley, swear or affirm:

1. That I am an owner and manager of Tropical Scooters, LLC, located at 11610 Seminole Boulevard, Largo Florida 337788.
2. That at least as early as November 2011 my dealership has been an authorized SYM dealer through Alliance Powersports, Inc.
3. On or about November 15, 2011, my dealership received its first shipment of the SYM Wolf Classic 150.
4. Since November 15, 2011, my dealership has received regular shipments of the SYM Wolf Classic 150.
5. Since September 2011, the SYM Wolf Classic 150 model has not been changed.
6. Each SYM Wolf Classic 150 is delivered to my dealership in a cardboard shipping crate with the keys in the ignition. Attached to the keys with a twist tie is a ziplock bag containing the Owner's Manual for the SYM Wolf Classic 150.
7. The "WOLF" mark has always appeared on the front cover of the manual in an old-English type calligraphy font.
8. The owner's manual has not changed since my dealership first received a SYM Wolf Classic 150 in our stock in 2011.
9. Customers of my dealership are familiar with the SYM Wolf Classic 150, and often request or refer to it as the "Wolf" or "SYM Wolf".
10. I have personal knowledge of the scooter brand currently calling itself Wolf Brand Scooters and was previously known as GMW or Gorilla Motor Works.
11. GMW or Wolf Brand Scooters operates in my local area.
12. When I heard that GMW had changed their name to Wolf Brand Scooters I was surprised that they would choose a brand already in use by another scooter maker.
13. GMW or Wolf Brand Scooters does not have a good reputation in the scooter market.

I declare under penalty of perjury under that the foregoing is true and correct.

Executed on Oct 13, 2014 :

Michele R. Stanley
Michele Stanley (Oct 13, 2014)

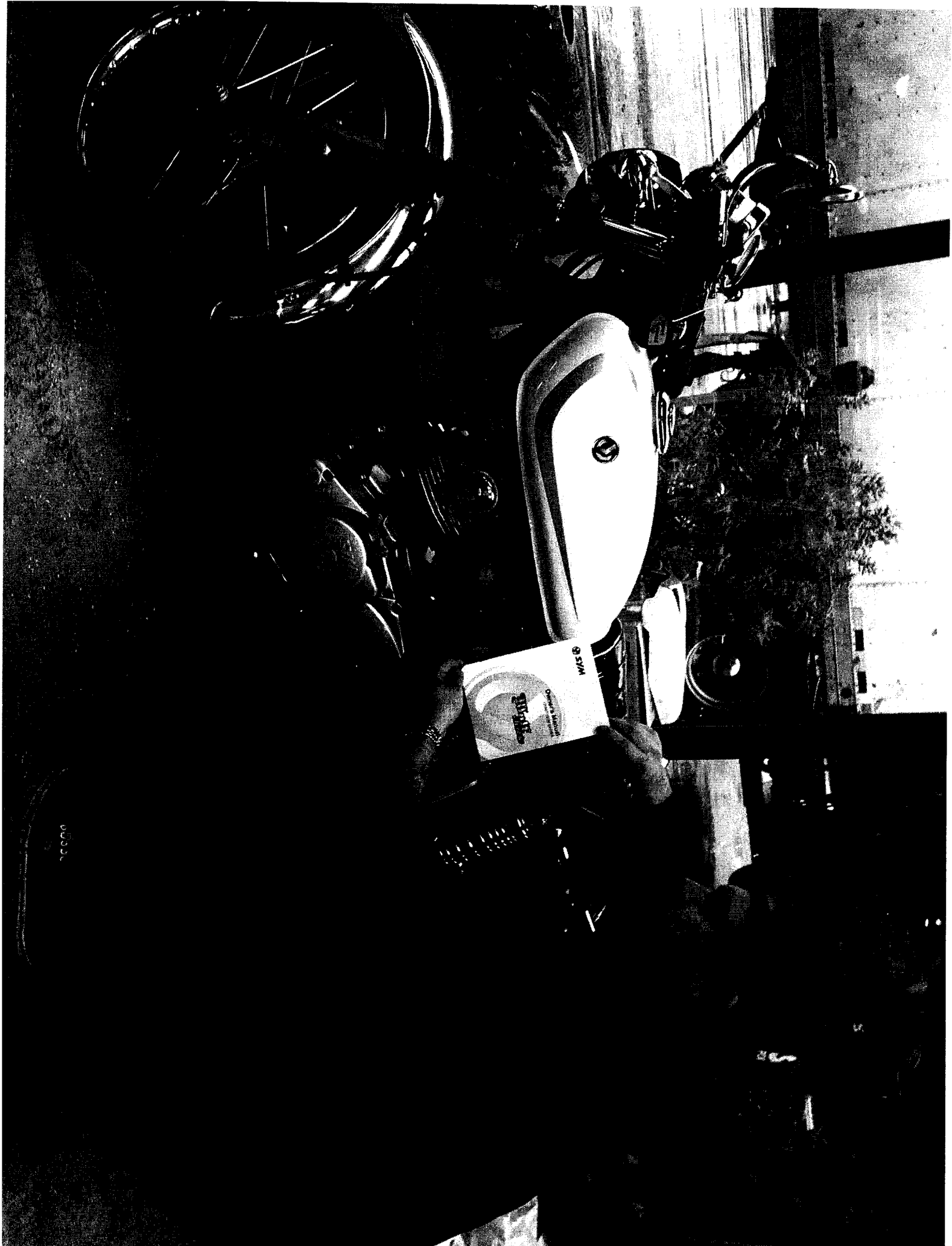
Exhibit

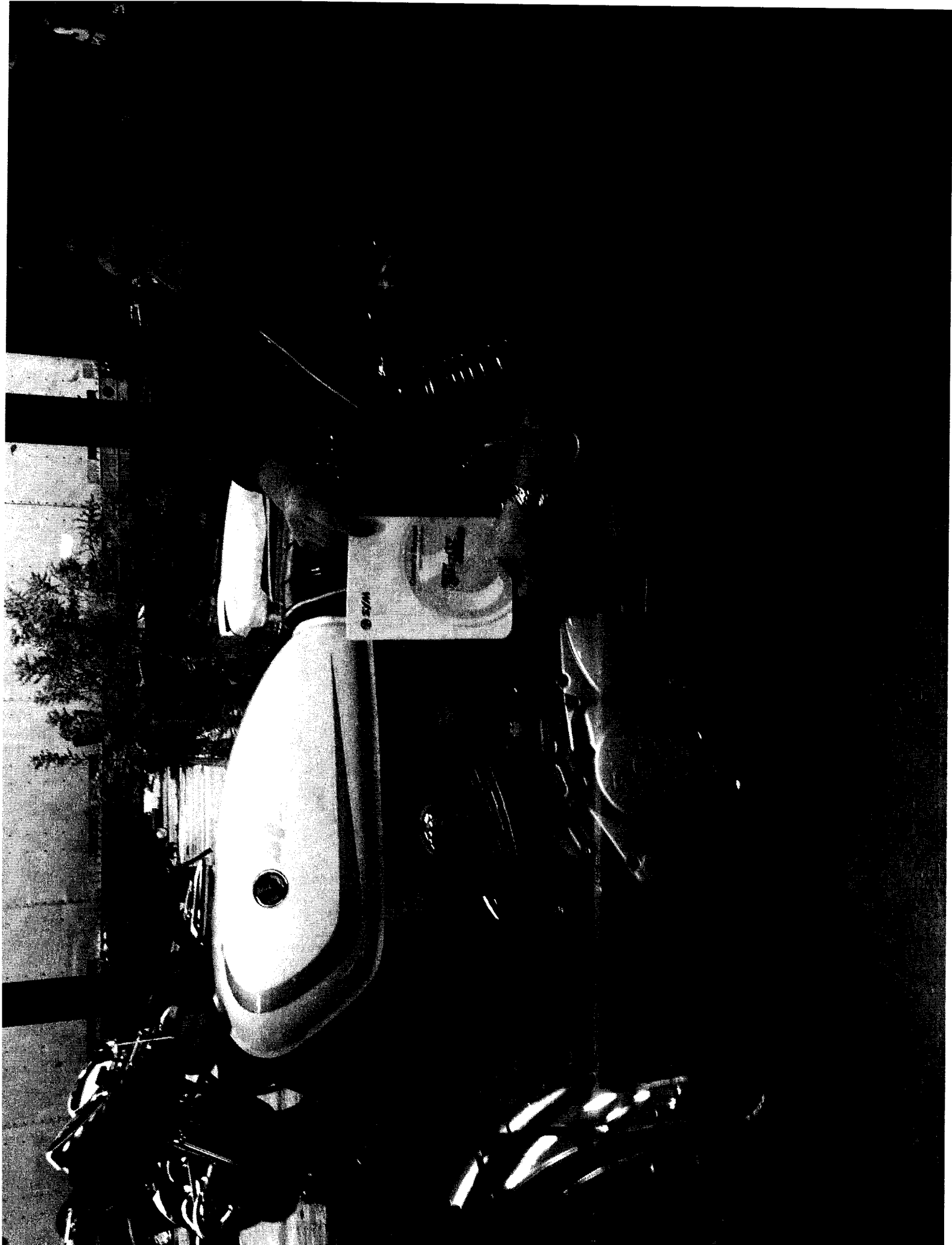
7

~~THINK OF CLASSIFICATION AS A BATTLE~~

[illegible]

October 13, 2014





SWORN DECLARATION OF WOLF TRADEMARK

I, Lui Chang Tien, swear an oath and under penalty of perjury that the following statements, facts and representations are true:

1. I am representative for Sanyang Industrial managing the relationship between Sanyang Industrial and Alliance Powersports.
2. I have been an employee of Sanyang Industrial since 1984.
3. Sanyang Industrial has been manufacturing the SYM Wolf Classic 150 since 1974.
4. In my capacity, I am familiar with the manufacturing and packaging process for the SYM Wolf Classic 150.
5. Attached is a copy of the SYM Wolf classic 150 manual.
6. During the manufacturing process the manual is placed in a plastic bag with a hole at the top.
7. The plastic bag containing the manual is attached to the keys for the SYM Wolf Classic 150.
8. The keys, manual, and bike are packaged in a cardboard box for shipment.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on 2014.10.08 :

Lui Chang Tien
Signature

SANYANG INDUSTRY CO., LTD

3 Chung Hua Road Hukou Hsinchu

Taiwan R. O. C

Tel:+886-3-5981911 Fax:+886-3-5981844

<http://www.sym.com.tw>

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[Buyer's Guide](#) | [Ride Guide](#)

SYM Wolf Classic vs. CCW tha Misfit



Gabe Ets-Hokin Contributing Editor | [Articles](#) | [Articles RSS](#)

Gabe Ets-Hokin is a well-known motojournalist, but he knows scooters well, too: he's been a factory sales rep for Derbi scooters, re-built a Vespa motor in room 107 at the Elvis Presley Motor Lodge in Memphis, TN and has edited several scooter buyer's guides. He unapologetically loves da' scoots.

Wednesday, May 16, 2012

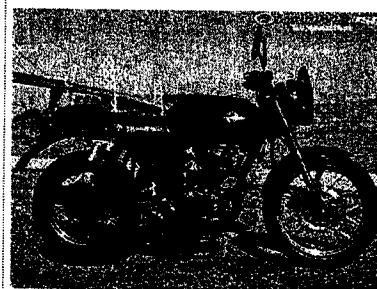
You and I get it: scooters are cool. That's why you're here, browsing Moto-USA's scooter reviews. But since we're friends, we can admit it: there's something a little geeky, a little square about riding a scooter. But we overlook that because scooters are just so fun, convenient and easy to ride.

But in many places around the world, a motorcycle is the choice for urban transportation, and that makes sense, too. A small motorcycle is light, cheap, great on gas and with its more robust suspension, longer wheel travel and flexible manual gearbox, a little better for the busted-up pavement and other obstacles inner cities feature. So if we enjoy getting around town on our scooters, we (okay, mostly me, but M-USA's editorial staff did sign off on the story) thought you may also get off on one of these two takes on classic cafe-racer style, one from Taiwan, the other from mainland China.

Not only are the bikes from the same corner of the globe, they share a common motor ancestor, have similar weights and are priced within two hundred dollars of each other. So how could they feel so different?

To answer that question, I'll have to tell you about each bike. SYM's \$2999 Symwolf Classic 150 is built in Taiwan and is the more slick-looking product—not surprising, as SYM has been churning out powered two-wheelers since 1962 (when it started license-building Hondas in Taiwan), building a million two-wheelers and 35,000 automobiles annually.

I've been told the entire package is based on Honda's venerable CB125, a widely copied design originally intended as a low-cost, durable, easy-to-operate machine for third-world and developed markets, and it's clear the two bikes have similar architecture, but SYM has done plenty of development on this model. Engine capacity has been increased to 149.4cc, and the simple, reliable overhead cam has been retained. Carburetors handle fueling duties. An electric starter and CDI ignition make the bike easy to live with, and the motor is rated at almost 15 hp at the crank—not bad for a 150cc air-cooled motor.



The 2012 SYM Wolf Classic 150 (top) is made in Taiwan and Cleveland CycleWerks' tha Misfit is made in China.



Tha Misfit has plenty of cornering clearance and owes its styling and chassis to the work of Taiwanese firm CPI.

The chassis is also upgraded. It's still a tube-steel frame, but it also gets aluminum spoked wheels—an 18-incher in front and a 17-inch hoop in back—as well as a 240mm front disc brake with a cute little two-piston caliper and steel-braided brake line. Cheng-Shin tires keep the bike off the ground. Convenience touches include a centerstand, electric starter, tripmeter, low-fuel light, passenger footpegs and grabrail and preload-adjustable rear suspension. It weighs in at a feathery claimed wet weight of 266 pounds, and the MSRP is a buck under \$3000—about as cheap as freeway-legal transportation gets.

Standard stuff, but it's probably the styling that makes this bike special. Deep, bright paint and quality chrome festoon the sporty 3.5-gallon gas tank. Real clip-on bars clamp to the fork tubes above the triple tree, and a cafe-styled seat adds to the look. It needs rear-set footpegs to make it a real cafe bike, I know, but then you'd have no room for passenger

Exhibit 9

pegs and where's the fun in that?

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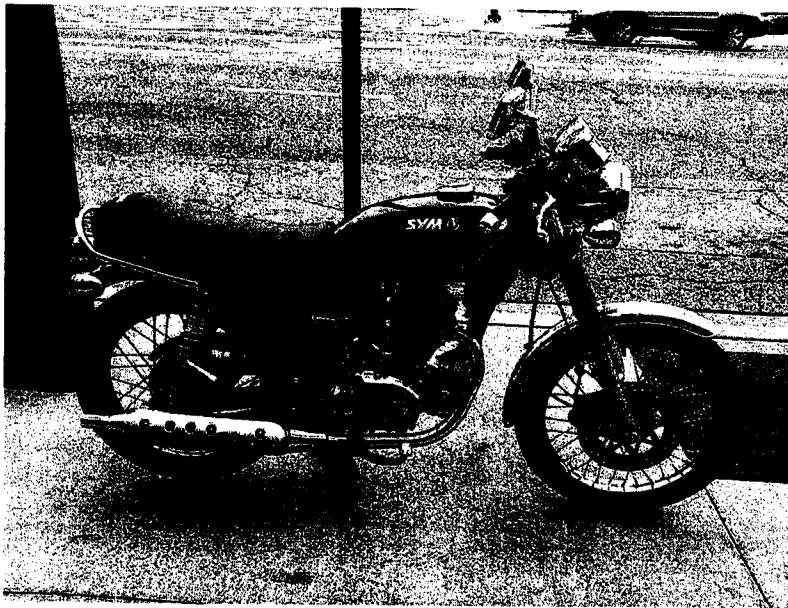
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Scooter Parts



SF First Ride: SYM Wolf Classic 150



The SYM Wolf Classic 150 is a machine that seems to defy category. It's a motorcycle, but SYM is best known as a scooter company. It's on sale at scooter shops all across the country, yet with its clip-on handlebars and flat-top frame, it's visually more at home in the current Cafe Racer renaissance. Forgetting about categorization, what has SYM really got here, and why should scooterists take notice?

That's a complicated question to answer. The Wolf has a lot to offer for both scooterists and small motorcycle fans alike. It's approachable. It's good looking. It's light. It's extremely forgiving and easy to ride. It's even comfortable, which was a pleasant surprise given its small stature and clip-on handlebars.

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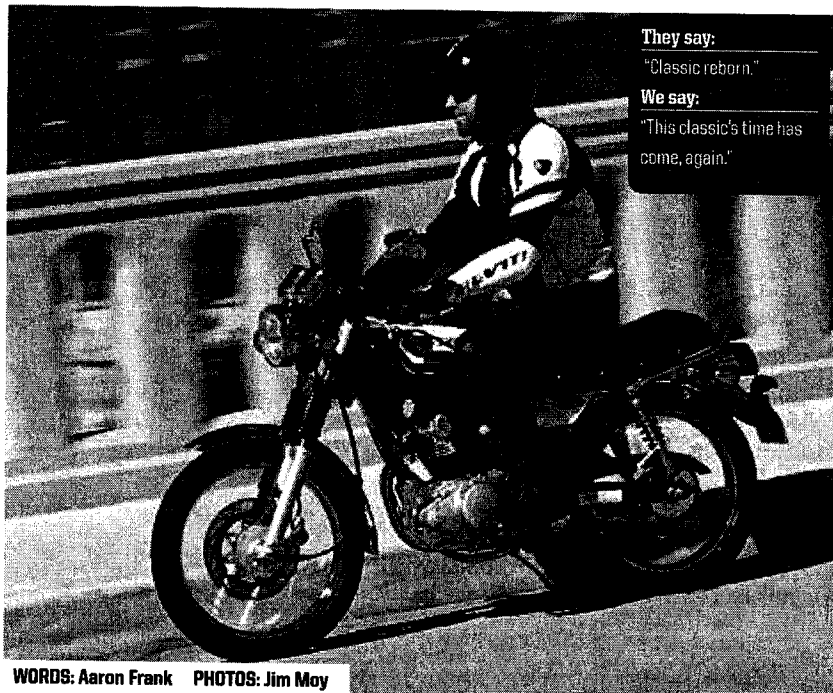
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They say:

"Classic reborn."

We say:

"This classic's time has come, again."

WORDS: Aaron Frank PHOTOS: Jim Moy

SYM WOLF CLASSIC 150

A Sheep in Wolf's Clothing

Riders of a certain age instantly recognize the Wolf Classic. It looks exactly like the Honda CB125 that provided thousands of Americans cheap, practical, and fun transportation during the early '70s. This is no coincidence. SYM, aka Sanyang Industry, one of Taiwan's largest vehicle manufacturers, built countless CB125s under license from Honda between 1969 and 2002.

After that joint venture ended, SYM continued developing the model under the Wolf name. The latest Wolf Classic 150 is utterly charming urban transportation that looks and feels just like a classic, small-displacement streetbike, but is improved with modern updates like a disc brake, CDI ignition and a bright halogen headlight.

Large-diameter spoked wheels, a bullet saddle and clip-on bars mounted above the triple clamp nail the trendy vintage café racer look. The paint is smooth and bright, the ample chrome is rich, and analog gauges, fork gaiters and a functioning kickstart lend authenticity. Curb appeal is way beyond the bargain, \$2999 price—and a centerstand comes standard.

You'll want to use the old-school choke lever between the speedo and tach—modern emissions regs make the carbureted four-stroke single slightly cold-blooded. Once

choked it starts instantly, on the button or midway through the first kick, settling into a smooth, purring idle. A mild state of tune and a ceramic-coated cylinder promise ruthless durability—as proven daily by millions of SYM-mounted commuters and delivery riders around the globe.

Fifteen horsepower is just enough to keep ahead of buses and other urban assault vehicles. Low gearing and decent torque make the Wolf ridiculously easy to ride. It's almost impossible to stall, and you can start from any of the bottom four gears with just a slight slip of the clutch. Fifth gear covers everything from 30 mph to the 65 mph top speed. It can handle the occasional emergency interstate stint, but best stick to secondary roads—vibes get bad beyond 6500 rpm, corresponding with 55 mph in fifth.

Inside city limits, the Wolf rules. A 49-inch wheelbase and light aluminum wheels keep it nimble, and the front disc (with a braided line!) provides quick stops from any speed the Wolf is capable of. It is 7/8ths-scale small, but the long, flat seat and low footrests accommodate even over-six-footers for short trips. Beginners, women, and shorter-stature riders feel immediately in control.

With idiot-proof operation and EPA-rated 85 mpg fuel consumption, the Wolf Classic

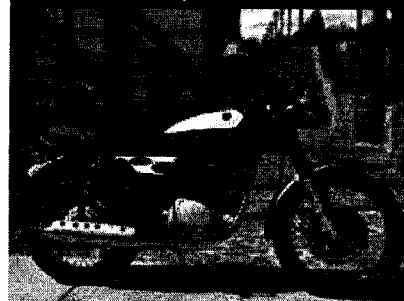
TECH SPEC

Price	\$2999
Engine type	a-c single
Valve train	SOHC, 2v
Displacement	149.4cc
Transmission	5-speed
Claimed horsepower	14.8 bhp @ 8500 rpm
Claimed torque	9.0 lb.-ft. @ 9000 rpm
Frame	Tubular steel spine
Front suspension	Telescopic fork
Rear suspension	Dual shocks with adjustable spring preload
Front brake	Single two-piston caliper, 240mm disc
Rear brake	Drum, 130mm
Front tire	2.75-18 Cheng Shin
Rear tire	3.00-17 Cheng Shin
Seat height	30.0 in.
Wheelbase	49.2 in.
Fuel capacity	3.3 gal.
Claimed curb weight	266 lbs.
Contact	www.alliancepowersports.com

VERDICT



Cheap, cool and economical to own and insure—a perfect city bike. It sure beats any scooter!



The air-cooled, 150cc, four-stroke single is a modern interpretation of Honda's stone-simple CB125. It produces almost 15 horsepower, enough for a 65 mph top speed.

combines the economy and convenience of a scooter with true motorcycle functionality. It's more than just a throwback for nostalgia-minded oldsters, however; first-time riders and downtown-dwelling hipsters are equally attracted to this attention-grabbing bike that offers all the style of a vintage café racer without the same mechanical commitment, and a 24-month warranty to boot. None of the cobbled-up CBs or worn-out RDs on Craigslist can compete with that! **MC**

Exhibit

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SYM WOLF
Classic
Motorcycle

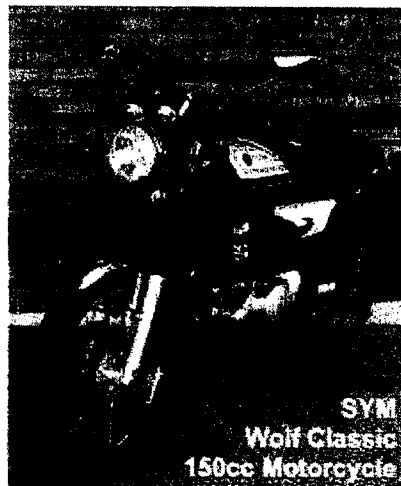


Review of the
SYM Wolf Classic
150cc Motorcycle



SHAD 48
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Topcase

Moped
Parking



UPDATE, April 2012

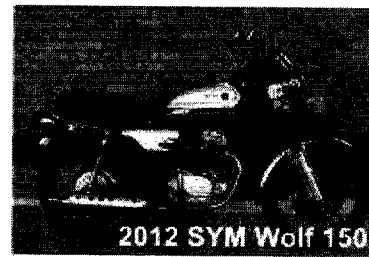
How do you feel about early 1970s small displacement motorcycles? Something like, oh, a 1973 Honda CB100 or CB125? Any found thoughts/memories? Like many riders of a certain age, I started on very small, fat tire trail bikes and "graduated" to a small displacement motorcycle. Being a typical power/speed hungry youth, I quickly moved up the ladder through 250cc - 500cc - 750cc and landed at a six-cylinder Honda CBX in the 1980s. These days I find myself looking

with interest at the small displacement machines being offered in the US market. Maybe I'm just getting tired of hauling an 800-pound motorcycle around town, maybe my motorcycle tastes are (*gasp*) maturing, I don't know. I just know that I really like bikes like the Suzuki TU250, Royal Enfield, and now the SYM Wolf Classic 150.

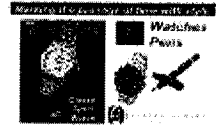


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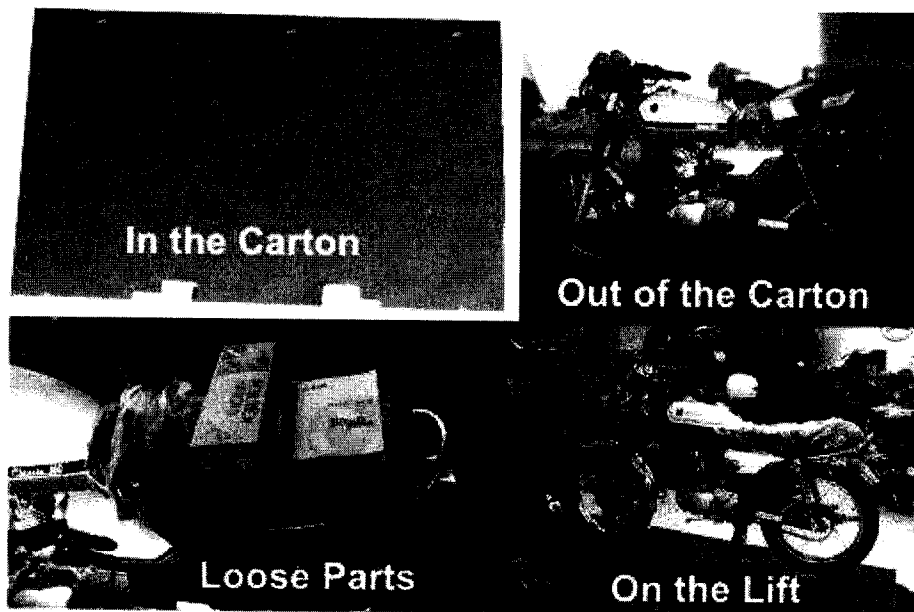
SALES CORNER

Looking at pictures of an early 1970s small Honda and a new 2012 SYM Wolf Classic, it's easy to see the resemblance. If you were one of the many, many riders of a small displacement Japanese motorcycle back in the day, I can tell you that the SYM Wolf Classic also "feels" like one of those wonderful little machines.

Living here in the Twin Cities, you'd be forgiven for never having heard of SYM before. SYM is Sanyang Motors out of Taiwan. They've been around since 1961 and they build some of the highest quality motorcycles and scooters in the world. Based on first-person experience I can honestly say that some SYM products are the equal of anything from Japan so far as quality is concerned. In fact, SYM has been a manufacturer for Honda under license in Asia. So if they're so great, why haven't we seen them here in the USA? One word - distribution. OK, let's make that two words - poor distribution.

In January of 2006, SYM established an agreement with Carter Brothers for distribution of SYM products in the USA. Carter Brothers never really did anything with SYM. They had a few dealers and seemed to be gaining some ground, but they just couldn't take off the way other Taiwanese brands did (*Kymco and PGO via Genuine in Chicago come to mind*). In July of 2010, the Carter Brother warehouse was destroyed (*along with the inventory*) in a fire that was believed to have been caused by arson. After that came a dark period of little-to-no support and an annoying struggle to get parts from SYM of Canada. In April of 2011, Lance Powersports in California announced the formation of Alliance Powersports which would be the new USA SYM distributor. Since April, Alliance has been working to re-establish a parts supply and started to bring new product into the USA.

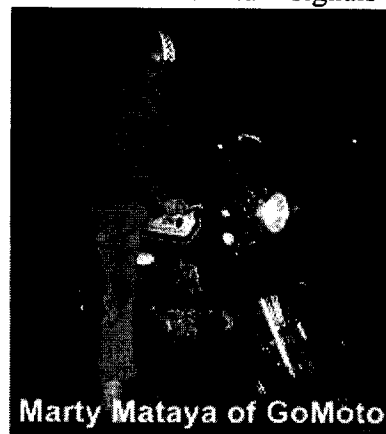
One of those new products is the SYM Wolf Classic 150 motorcycle. GoMoto is the Twin Cities dealer for SYM. A few years back BlueCat Motors in St. Paul was the SYM dealer, but they decided not to continue with *any* brand of new scooter sales. Alliance shipped the bike to Scooterville in Minneapolis with the gracious permission of Bob Hedstrom, the owner. At the time, GoMoto was in the process of moving to their new location on Washington Avenue. Marty from GoMoto came over after hours and we prepped the bike in the Scooterville shop. Yeah, we all need to take a minute and be thankful for guys like Bob and Marty. They are (*technically*) competitors, but they are scooter/motorcycle enthusiasts first. How many businesses would let someone work on a product they don't sell after hours?



The bike came out of the carton, the battery was filled with acid and put on the charger, and the very few loose parts were installed. The quality of the Wolf Classic was already evident. The mirrors, side stand, foot pegs and battery needed to be installed.



The battery provided is NOT a sealed, maintenance-free battery as one might expect, but a pretty cheap conventional type. The front and rear turn signals are in ugly black plastic housings that also look cheap. Everything else on the SYM Wolf Classic is so nice and of such good quality that these couple of small things stand out. The prep didn't take long, and the Wolf Classic was on the road. Marty from GoMoto had a spin and pronounced the bike a lot of fun. His first comments were all about the chassis and how sweet it was. This turned out to be a common theme when experienced riders had a spin on the Wolf. Marty had to head home to dog-sit and I road back to St. Paul. The inaugural ride was wonderful. I felt like a seventeen-year-old coming home after working a late shift at the pizza parlor.



Marty Mataya of GoMoto

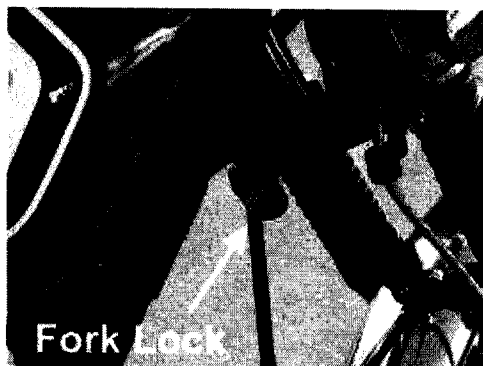
My GPS went on the bike the next morning to begin some real testing. The SYM Wolf Classic speedometer reads about 5% optimistic. An indicated 61

MPH is actually 58 MPH. The odometer was also slightly optimistic with 10.4 miles indicated being 10.0 miles in actuality. I consider these good numbers. Most motorcycles and scooters that I test are more optimistic than this with 10% being average and some off by as much as 20%. This was a brand new bike, not yet broken in, so I didn't search the upper limits of performance. I did see an honest 62 MPH on the GPS (*66 MPG indicated on the speedo*) and I would expect that a smaller rider (*I'm 220 pounds*) after break in would do a bit better than that. In over 100 miles of riding I averaged 85 MPG which is **EXCELLENT** fuel economy and would likely get even better after break-in.

	SYM - Wolf Classic 150
MSRP	\$2,999
Warranty	2-Year
Engine	149.4 cc 4-stroke OHC
Power	14.7 hp, 9 lb/ft torque
Cooling	Air
Fuel System	Carburetor
Transmission	Manual 5 speed
Final Drive	Chain
Wheelbase	49.2 Inches
Dry Weight	260 Pounds
Seat Height	29.5 Inches
Front Suspension	Telescopic Fork
Rear Suspension	Swingarm Dual Shocks
Front Tire	2.75 -18
Rear Tire	3.0 -17
Front Brake	Disc
Rear Brake	Drum

The SYM Wolf Classic is a 150cc (*149.4, close enough*) overhead cam 4-stroke that has a claimed output of 14.7 horses. This is not a fast bike by any means. At \$2,999 I was hoping for fuel injection. The MSRP on the Suzuki TU250 which IS injected is \$3,999 - but it's a **250** and a **Suzuki** which is an infinitely more recognized brand in the USA than SYM. Still, the SYM engine is a real sweetheart. It features the latest ceramic cylinder coating which should

help with heat and wear resistance. The transmission is a 5-speed and shifts in the conventional manner (*1 down, 2,3,4,5 up*) with a chain final drive. A telescopic fork in the front and a couple of shocks in the rear handle suspension duty and the bike rides on an 18 incher up front with a 17 in the rear. The fuel tank holds a little over 3 gallons. I'd strongly suggest non-oxygenated fuel as this is a carbureted bike.

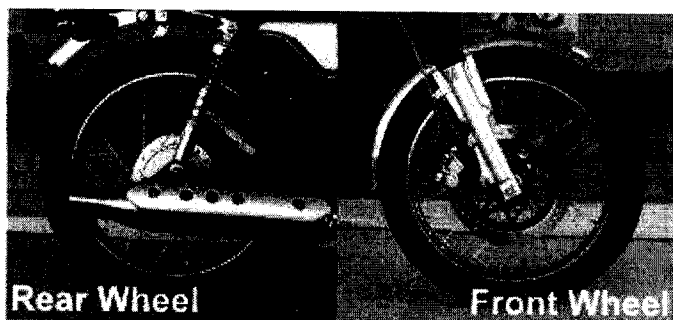
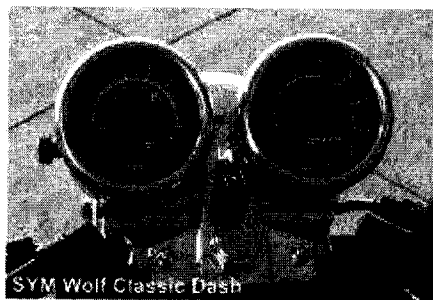


The controls and switches are conventional with another minor complaint. The turn signal switch is NOT of the push-to-cancel variety but is a rocker with left, center (*off*) and right positions. The fork lock is not on the main ignition switch but is down on the right side. The Wolf Classic comes equipped with both push-button electric start and kick

starter. The bike kick starts pretty easily, though the starter lever tended to bind on the exhaust shield on the upward swing. Lighting is very nice with a bright H4 halogen headlight.

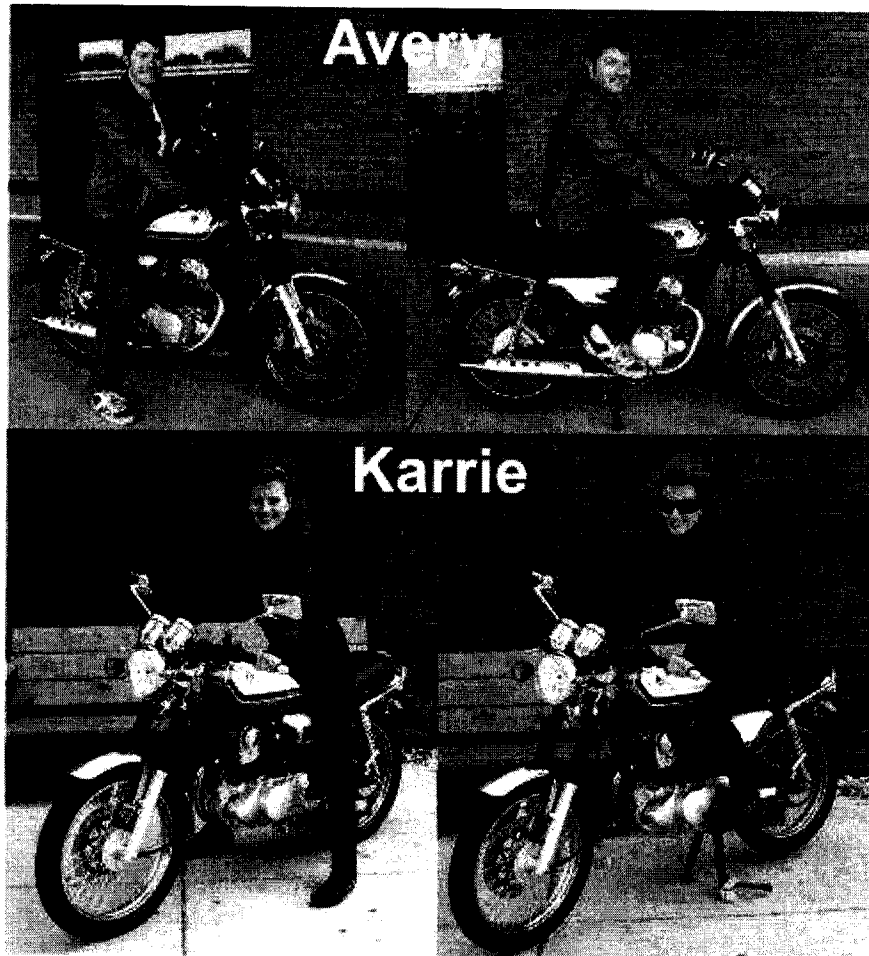
The dash includes pods for the speedometer and a tachometer. Going back to

our early 1970s bikes, the tach was not usually provided on those bikes. The speedo is to the left, biased to miles-per-hour, with the odometer (*in miles*) above the center of the gauge and a trip meter below. The knob to the left of the pod resets the trip meter. The manual choke and 2-position ignition switch are in the middle and the tachometer and warning lights are in the pod to the right. There is no fuel gauge and no fuel petcock, but there is a low fuel warning light.



The conventional specifications of the SYM Wolf Classic don't really do justice to how exceptionally nice this bike is to ride. As Marty stated right away, this is one sweet chassis. The

light weight (*of the bike, not me*) have a lot to do with this, but it's also the combination of quality components and skilled manufacture that bring it all together. Handling is crisp and precise. Braking is strong and easy to modulate. The transmission upshifts like a dream. Gear spacing is a little odd, there isn't much of a ratio different between 3rd and 4th. Think of 4th as an overdrive for 3rd and it makes more sense. Downshifts were fairly vague, and the Wolf Classic doesn't like stacked downshifts (*4,3,2 all at once without letting the clutch out*) but this may improve as some miles are put on the bike. The seating position favors those of shorter leg. With a 30 inch inseam I was very comfortable.

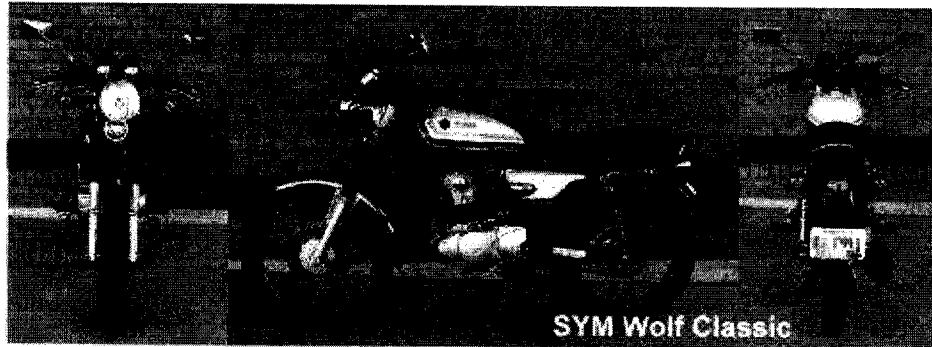


Everyone who saw the SYM Wolf Classic wanted to ride it. The ergonomics are really good and cover a wide range of people. The clip-ons aren't too low or too far forward and even with the short seat height riders a bit over 6 feet were OK with the position. I stopped by BlueCat Motors in St. Paul where they work on vintage bikes all the time. Ryan the owner and all the guys in the shop took it for a spin and all came back with a big grin on their faces. Overall, over a dozen people rode the Wolf Classic and all had positive comments, mostly about the ride and handling.

The Wolf Classic does come equipped with foot pegs for a passenger. I'd take them off and throw them away (*not really, they'd sit in a box in my garage forever*). The seat is also set up for solo riding. I did take a couple of people on the back and nobody complained, but those were SHORT rides and I'm pretty sure that longer jaunts would have solicited some whining.

At first glance, the SYM Wolf Classic seems like an expensive toy. At \$3,000 and with only 150 cc what else could it be? After spending several days riding it, the Wolf Classic seems reasonable to me. It's just about a perfect urban bike. It's light, nimble, fast enough for brief runs on urban highways, gets great fuel economy, and will likely be cheap to insure and maintain. It's also really, really good-looking and draws attention everywhere it goes. Whenever I parked or stopped to gas up people would come

wondering over and ask me about the bike. I sincerely hope that Alliance Powersports can rebuild the SYM dealer network in the USA so we can continue to enjoy fine machines like the SYM Wolf Classic.



David Harrington



UPDATE April 2012

New SYM Wolf Classic 150 Colours



The SYM Wolf Classic 150cc motorcycle continues to build a following in the US market. A good quality, small displacement, cool-looking and FUN motorcycle actually selling in this country? North Americans starting to "get" what great machines small displacement bikes can be? What could be better! How about more colours to choose from. In addition to the two-tone shown in this article and the sold green, white, black and red are now available.

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We don't care WHAT you ride, as long as you RIDE.

E-MAIL

SYM WOLF CLASSIC 150

The small-bore single gets a new lease on life

Story and photos by Richard Backus

Once upon a time, small-bore singles occupied a significant slot in the motorcycle market. Simple, approachable and easy to ride, they were an affordable way to decide if you really wanted to be a motorcyclist after all.

Back in the Sixties, every motorcycle manufacturer — even Harley-Davidson — had at least one small single in its model lineup. Honda was no exception, hardly surprising from the company often credited with bringing motorcycling to the U.S. masses, its catchy “You meet the nicest people on a Honda” ads showing happy, non-motorcycle-type people riding single-cylinder C100 or C110 step-throughs.

It was a different era, slowly ushered out in the U.S. as small bikes were increasingly pushed aside to make way for ever-larger multi-cylinder machines, many of them from Honda. By 1973, the year Honda introduced the CB125S overhead cam single to our market, the influence of small bikes on the U.S. market had dramatically diminished.

But that didn't mean small singles weren't appreci-

ated elsewhere, and they continue to influence many markets today, particularly in large cities where parking space is non-existent or in developing countries where incomes don't support automobile ownership. Although you wouldn't know it judging by the U.S. market, Honda's presence in the category continues, with its own products and license-built clones of its singles selling by the millions around the world.

Almost from the start, Honda pursued licensing agreements with other companies to build its bikes. In 1962, Taiwan's Sanyang Industry Co. Ltd. partnered with Honda to build Honda motorcycles, eventually manufacturing Honda cars before the joint venture was abandoned in 2002. In the intervening 40 years, SYM, Sanyang's motorcycle division, built literally millions of little Honda singles.

It still does today, but now they're sold under the SYM banner.



Exhibit

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Yes, it's small, but that's part of its charm. And at only 266 pounds all-in the SYM is easy to handle.

The Wolf Classic 150

Honda may no longer build the CB125, but SYM has continued cranking them out, first in 125cc guise and now as a 150 (actually 149.4cc, but who's counting?) it markets here as the Wolf Classic.

If you're only mildly familiar with the original CB125S you'll be forgiven for looking at the Wolf and thinking, "Hey, cool old Honda," because that's what most people think. While we were photographing our test bike, a 50-something passerby was mildly incredulous when we told him our SYM wasn't a restored classic but a brand new bike.

That was a common reaction to the Wolf Classic while we had it, and we'd wager it's precisely what SYM is banking on in the U.S. market, where making small bikes hip seems to be a good — and necessary — marketing strategy.

And the Wolf is definitely hip-looking. The white paint on our test bike was lustrous, nicely set off by the contrasting red-painted frame and the seeming acres of chrome splashed on the Wolf. Granted, some of that chrome isn't of the heavy metal kind. The mirrors, for example, are chrome plastic, as are the instrument housings and turn signals.

Plastic or not, those bits look good, and combined with the Wolf's other vintage cues — like a nicely stitched two-up saddle, a low-slung exhaust and a pair of très-cool looking clip-on handle bars mounted above the upper triple clamp — they let the little Wolf shine in a café sort of way. It's sort of old school standard meets new school urban 20-something.

On the road

We picked up our Wolf Classic from Kansas City SYM dealer Mike Bergstrand at M & M Motorsports (www.kcscootertrends.com), who checked it over and gave it a few break-in miles before we took delivery.

Riders with memories of vintage singles will feel immediately at home on the Wolf Classic. Its small size makes it easy to swing a leg over, and a low, 30-inch seat height lets you plant both feet easily and firmly on the ground. An 80mph speedometer sits to the left, with a 14,000rpm tach to the right. The black clip-on bars are angled back nicely, giving a comfortable reach, and the traditional switchgear is easily deciphered, with turn signals, horn and headlamp high/low on the left, and an ignition kill switch and starter button on the right.

The ignition key is dead center on a nice little chromed strap bridging the speedo and tach, with a choke knob — yes, the Wolf is actually carbureted — poking up just behind the ignition switch.

Pull the choke full up, turn the key one stop, check for neutral, thumb the starter button and the little Wolf fires to life almost immediately.



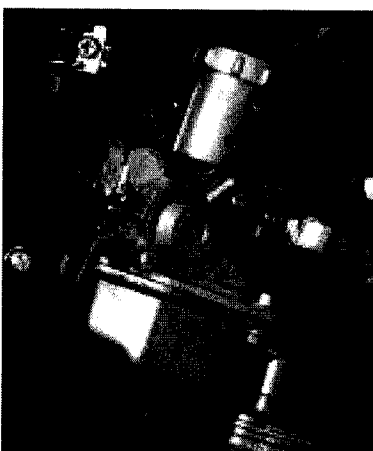
Given its likely lean jetting, we expected the Wolf to be somewhat cold blooded, but we found it needed very little warm-up before we could shut off the choke and let it settle into a smooth idle. Restarts from warm were always sans choke, and when ambient temps were above 70 F our bike started easily without the choke. Electronic ignition surely helps.

The transmission on our bike was faultless, snicking into first with only a gentle push of the shift lever and shifting through

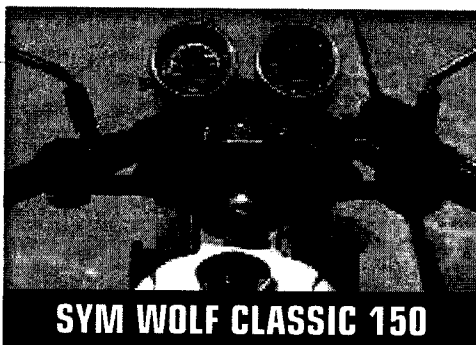
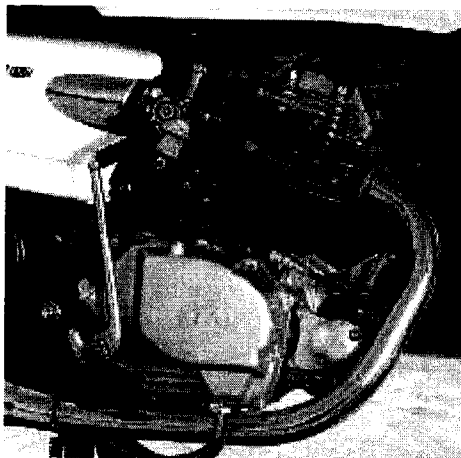
its other four gears with equal ease. Pulling away from a stop is drama-free, requiring little more than a short twist of the throttle to bring the engine up to speed and a feathered release of the clutch to get rolling. With only 15hp on tap it'll never get away from you, and reasonable torque for such a small engine (SYM claims 9 ft/lb at 9,000rpm) makes it surprisingly hard to stall, even with second gear launches.

Moving down the road, the SYM displays its modest ambitions; it doesn't so much accelerate as incrementally build speed, the tach happily swinging up to 6,000rpm as you twist the throttle, the speedo only slowly rising as you work through the gears. Work it hard and you get a little more oomph, but it feels happiest with a gentle push rather than a full twist of the wrist.

Top speed is a claimed 65mph, a figure we never touched, if only to be nice to "our" SYM's engine, which had only 2 miles on it when we took delivery. A ceramic-coated cylinder (!) should relegate the traditional 500-mile new engine break-in routine to the dustbin (and provide superior



Tiny Keihin carb (top) feeds the fuel/air mixture. Oddly amusing warning on plastic exhaust cover.



SYM WOLF CLASSIC 150

Engine: 149.4cc air-cooled OHC single, 62mm x 49.5mm bore and stroke, 14.8hp @ 8,500rpm (claimed)

Top speed: 65.5mph (claimed)

Carburetion: Single Keihin

Transmission: 5-speed, chain final drive

Electrics: 12v, electronic ignition

Frame/wheelbase: Single downtube, engine as stressed member/49.2in (1,295mm)

Suspension: Telescopic forks front, dual shocks w/ adjustable preload rear

Brakes: Single 9.45in (240mm) disc front, 5.12in (130mm) SLS drum rear

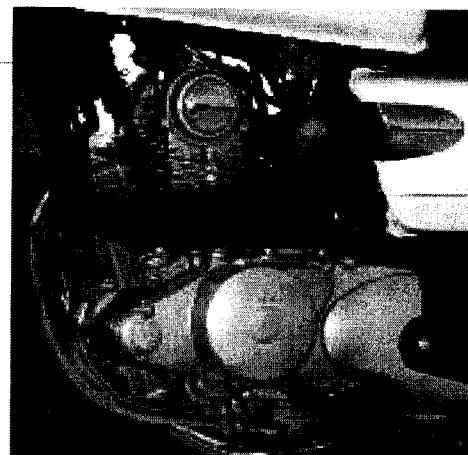
Tires: 2.75 x 18in front, 3 x 19in rear

Weight (wet): 266lb (121kg)

Seat height: 30in (762mm)

Fuel capacity/MPG: 3.3gal (12.5ltr)/85mpg (claimed)

Price: \$2,999 (MSRP)



long-term durability), but we didn't want to be the ones proven wrong so we went easy on our little Wolf, limiting our top speed to 55mph.

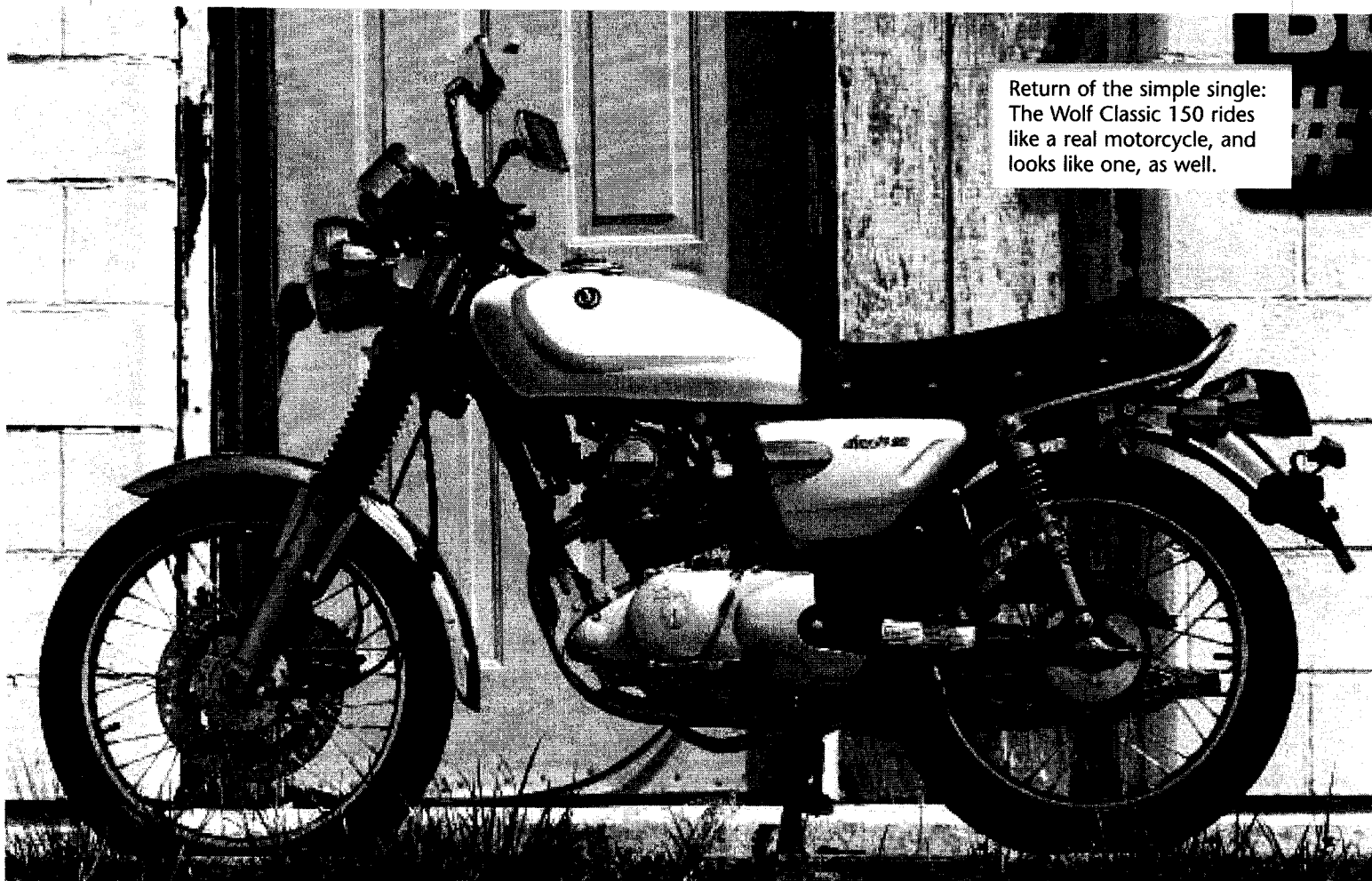
A short, 49.2-inch wheelbase makes the Wolf a little twitchy at speed, but 18-inch rear and 19-inch front wheels help the bike move confidently through turns. It's no canyon carver, nor was it ever meant to be, but you never worry about the bike's ability to take a turn. And when it comes time to slow down, a 2-piston front caliper paired with a 9.5-inch disc (plumbed with a stainless steel brake line; nice touch) hauls the bike down to a stop quickly and confidently. It's linear and predictable, exactly what the entry rider needs.

And that's really where the Wolf shines, as an entry-level motorcycle. While some will be quick to dismiss the Wolf as a toy, we'd beg to differ. This is a real motorcycle, with all the

attributes of a real motorcycle, just in three-quarter scale. We think its small size and low power are its greatest assets, making the Wolf a bike anyone can ride with ease. It will never over-power you, giving the entry-level rider in particular the chance to learn to ride to his or her — and the bike's — limits. Even so, it's equally fun for the experienced rider looking for something light and easy to toss around town, a reminder that bigger

isn't always better, and that small-bore bikes aren't just for new riders.

Old school ergonomics make it easy to warm up to, and a touch of café styling gives it the sort of panache even the original CB125 never had. And while a \$2,999 MSRP isn't exactly chicken feed, we think the Wolf Classic delivers a lot in return. **MC**



Return of the simple single:
The Wolf Classic 150 rides
like a real motorcycle, and
looks like one, as well.



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SYM gets revived with Alliance Powersports

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Dave McMahon, Senior Editor

April 2, 2012

Filed under [Features](#)

Taiwanese brand's U.S. distributor sees growth ahead

SYM has risen from the ashes in the United States.

The Taiwanese scooter manufacturer's presence in the U.S. hit rock bottom in July 2010, when arson destroyed the warehouse and manufacturing facility of Carter Brothers Manufacturing, the SYM distributor in the U.S. at the time.

But since Alliance Powersports, based in Mira Loma, Calif., became the official distributor of SYM in April 2011, the brand has landed on solid ground.

Alliance Powersports CEO Gene Chang spent some time during Dealer Expo to update *Powersports Business* readers on the company's growth.



The new Wolf Classic 150 by SYM provides dealers with an entry-level motorcycle at an attractive price point (\$2,999). Alliance Powersports distributes the brand in the United States.

PSB: *I know you began in the industry as a powersports dealer, selling on-road and off-road bikes and ATVs. What made you decide to become the SYM distributor?*

GC: Lance Powersports was formed in 2004, and in 2007 we started importing and branding our own line of entry-level Chinese scooters. It was a good decision to do that, with the rising gas prices we saw in 2007 and '08. But a lot of the consumers who originally bought scooters for leisure in the past started using them for

transportation and commuting due to rising gas prices. We saw that there was a need for better quality, reliable scooters for transportation. So, in 2009, we discontinued all the entry-level Chinese scooters and started partnering with SYM, Sanyang Industry Co., in Taiwan to exclusively produce the Lance Cali Classic 50/125 with high quality, high value and exceptional dealers margin. Our cooperation with Sanyang has always been positive, and so when Carter was destroyed by arson, which left a dark period for SYM dealers and owners, it was a natural fit for us to take over and continue the SYM franchise, which has a superb line of scooters and motorcycles. In 2011, we formed Alliance Powersports, sister company to Lance Powersports, to exclusively service, warranty and distribute SYM scooters and motorcycles in the U.S.

PSB: *What was the first scooter that really sold well for Lance?*

GC: Our flagship model was the Cali Classic, and it continues to perform really, really well. We built a lot of value into that bike, where you get affordability and quality at the same time. This model started our relationship with SYM, and it's been great for a couple of years now. The sales performance continues to grow stronger every year. The SYM quality is on par — just as good as — with the Japanese brands in the small displacements.

PSB: *Why are dealers becoming interested in carrying the SYM brand?*

GC: We build value into the bike. We set up competitive pricing, especially among the Taiwanese brands, and we build more dealer profit margins into the bikes to help the dealer grow. We have a rich product line, with the SYM Wolf that we brought in last fall. That's our most recent addition. It's a 150cc motorcycle, which the industry does not have right now.

PSB: *How have dealers reacted to the Wolf 150 and its café racer appeal?*

GC: It's been very good. The demographic is all over with men, women, young and old. There are first-time riders who buy it to get into motorcycling, and we're seeing a lot of women who like it because they can plant their feet on their ground when they're seated on it. Its seat height is 29.9 inches and with a 266-pound curb weight, they can straddle it. We've had overwhelming demand. The price point is also very attractive and competitive for an entry-level form of transportation. At \$2,999, it's a great gateway to get people into motorcycling, or for somebody who wants that throwback look who is getting back into motorcycling. One guy in Alabama bought one for his kid who was a junior in high school to get to school. The dad had done the same thing on the Honda CB125.

PSB: *What types of powersports retailers are selling the Wolf?*

GC: We're focusing on scooter boutiques, but we also have powersports dealers selling them. It's a mix of both. The scooter shops are adding the Wolf in addition to the scooter line. They still carry the scooters, and they're able to offer an entry-level motorcycle. For them, the Wolf isn't "instead of" of a scooter, it's "in addition to" a scooter.

PSB: *What's coming down the road from SYM?*

GC: We're going to be bringing a lot of variety to the market. This summer we're going to be coming out with a street bike, a 250cc fuel-injected street fighter, called the SYM Fighter. We will also bring back the Citycom 300cc fuel-injected. As we move forward, we will continue to increase our product line to at least a dozen different models, so our dealers and consumer have value and variety to choose from.

PSB: *Your scooters have been featured in TV commercials a few times recently, notably on a Miller Lite ad. They're definitely equated to having fun.*

GC: I also ride a Yamaha YZF-R1, but I don't have as much fun as I do on the SYM scooters. On my R1, I have to go 100-plus on the freeway wide open to get that adrenaline going, but on the scooters at any speed in the city, you're going 10-15 miles per hour and you sort of grin as you're riding. You get the freedom and it's a lot of fun.

PSB: *What can dealers expect in dealing with SYM and Alliance?*



Parent company Lance Powersports found early success in partnering with SYM for the Cali Classic scooter, which maintains strong sales for the company. Dealers showed an interest in the model at Dealer Expo in Indianapolis.

GC: It's a high quality Taiwanese brand, and we're here to continue to build more value for the customer and give them more bang for their buck and help dealers get better margins on the SYM product they sell. We have dealers who sell other brands, and their profit margins are 5-10 percent on their investment if they're lucky. We're building an average of 35 percent profit margin on each unit. Dealers love it, and the brand is doing really well. The product sells itself. We're here to provide service and warranty, two years that the manufacturer backs 100 percent. We have a great team that is willing and able and dedicated to our company and the SYM brand. Our ultimate goal is to support our dealers and add to their success as we are only as successful as our dealers.

PSB: *What status does the SYM brand hold domestically?*

GC: In Taiwan, it's neck-and-neck with KYMCO. Combined they have about 80 percent of the market share, about 40-40 each, with domestic consumption about 1 million units per year. So both SYM and KYMCO pump out about a half million units per year. In Taiwan, they're both bigger than the Japanese brands, who only have about 10 percent of the market.

PSB: *Any other news to share with dealers?*

GC: SYM is back and will be stronger than ever. Both Sanyang and Alliance care a great deal about our SYM franchise partners. We're committed to your success and our support will through increased dealer profit margins, parts and warranty support and quality products with value and variety.

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Comments

2 Responses to "SYM gets revived with Alliance Powersports"

1. jerry on May 5th, 2013 7:35 pm



Why don't you bring the Sym 400I to the states, it would compete with the Burgman 400. I have a RV 250 from Sym but would like a little more power for on freeways and long trips. I really like the scooter and I think a 400 would be just right for me

Thanks,

Jerry

[\[Reply\]](#)

2. larry throneburg on May 6th, 2014 8:42 am



I have a 250rv and it only has 1250 miles and I love it but how can I get a service manuel for this bike . I know that you do not make it anymore but it is a great bike

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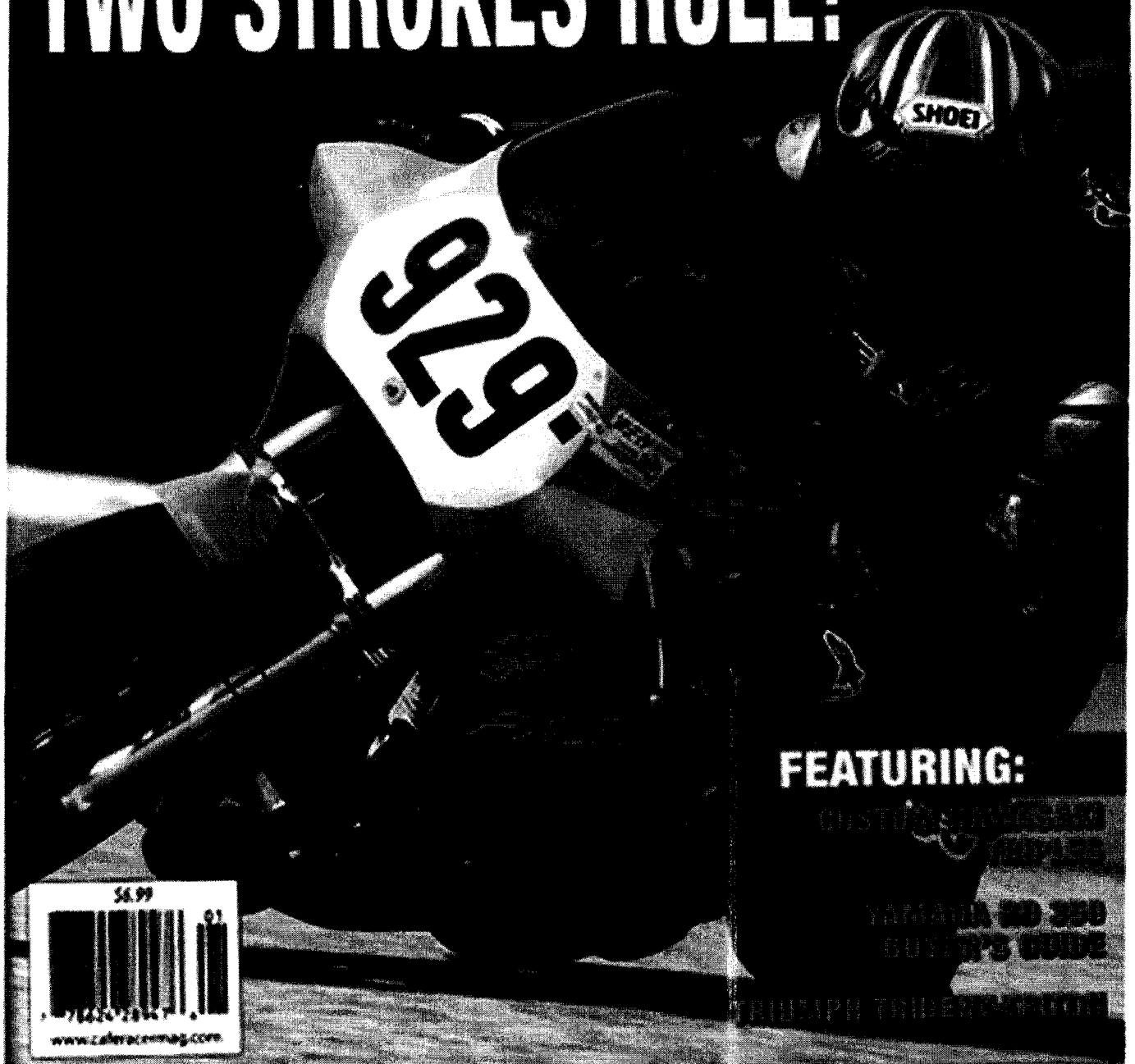
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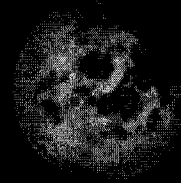


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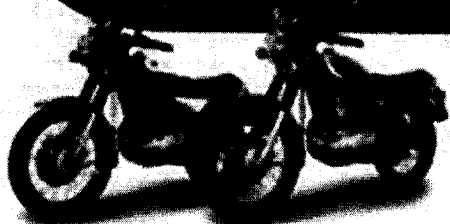
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From: Bintelli - Justin [<mailto:justin@bintelli.com>]
Sent: Tuesday, October 8, 2013 8:47 AM
To: mike.hickman@alliancepowersports.com
Subject: Wolf Trademark

Hey Mike,

I hope this finds you well. I wanted to forward this over to you. There is currently a trademark about to be published for opposition, for the word "Wolf" in regards to usage in the scooter industry. I figured you would want to oppose this because if they are awarded the trademark, they could potentially force you to stop selling the SYM Wolf. Just wanted to bring it to your attention.

Justin Jackrel
Bintelli, President

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Exhibit
17

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Alliance Powersports

3788 Milliken Ave. Unit C Mira Loma, CA 91752
T: 951-361-9000 & F: 951-361-9393
E: www.alliancepowersports.com

Invoice

Date 8/26/2011 Invoice # 00074

PAID
08/26/2011

Bill To	Ship To
Scooter of Louisiana - RP-2011-00359 3807 Airline Drive Metairie, LA 70001	Scooter of Louisiana Gregory Brown 504-831-2220 3807 Airline Drive Metairie, LA 70001

S.O. No.	Rep	Payment Method	Ship Via	Tracking Number	Forklift / Dock	Single / Double Stack	
SO00093	MikeH	Bank Wire	Saia	75226777700			
Description				QTY	Unit Price	Colors	Extension
SYM HD 200 EVO (2012) Chili Red VIN# RFGBS1ME3CSLH0150 EIN# MA708916 EIN# RV700068 9/28/11 MAIL SF MSO - 1162				1	2,515.00	Titanium Grey	2,515.00
SYM Symwolf Classic 150 (2012) Hunter Green VIN# RFGBB1ME9CSPA0051 EIN# RV700050 9/28/11 MAIL SF MSO - 1160				1	2,215.00	Hunter Green	2,215.00
SYM Symwolf Classic 150 (2012) Red/White VIN# RFGBB1MEXCSPA0060 EIN# RV700068 9/28/11 MAIL SF MSO - 1161 customer name: Jason Kiefer date of purchas: 3/29/14 (online registered)				1	2,215.00	Red/White	2,215.00
Processing Fee				3	0.00		0.00
Shipping to Business with Liftgate Service				1	546.89		546.89
Subtotal							7,491.89
Free Dry PDI		Please Handle With Care					
Pre Order		We appreciate your business					
Tuesday-Friday 10-6 Saturday 10-2 Closed Sunday & Monday							

Payments/Credits	-\$7,491.89
Total	\$7,491.89
Subtotal	\$7,491.89
Sales Tax (0.0%)	\$0.00
Balance Due	\$0.00

Shipped Date : _____

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SWORN DECLARATION OF GENE CHANG

I, Gene Chang, swear an oath and under penalty of perjury that the following statements, facts and representations are true:

1. I am the present Chief Executive Officer of Alliance Powersports, Inc.
2. In March 2011, Alliance Powersports signed an exclusive distribution agreement with Sanyang Industrial Co. Ltd.
3. Sanyang Industrial has been manufacturing the SYM Wolf Classic 150 since 1974.
4. Alliance Powersports has been importing the SYM Wolf Classic 150 into the United States since August 2011.
5. Alliance Powersports, Inc. entered into a Contractual Agreement with Sanyang Industry Co. Ltd. on June 11, 2012 for the import of SYM motorcycles and engines into the USA.
6. The SYM Wolf Classic 150 model has not been modified or changed since it was first imported to the United States in 2011.
7. Attached are true and correct photos of the SYM Wolf Classic 125M/P 150M Series Owner's Manual from 2011, 2012, 2013, 2014, and 2015, which are indistinguishable from each other.
8. The owner's manual is shipped with each SYM Wolf Classic 150 from the factory in Taiwan.
9. The "WOLF" mark has appeared on the cover of the owner's manual since 2011.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on Oct 13, 2014 :

GENE CHANG
GENE CHANG (Oct 13, 2014)
Gene Chang

WUEN DECLARATION OF INTEREST

I, Chou K. Hsien, swear on oath and under penalty of perjury that the following statements fairly and accurately represent my life:

1. I am the present Chair Executive Officer of Alliance Programs, Inc.
2. In March 2011, Alliance Programs signed an exclusive distribution agreement with Samsung Electronics Co., Ltd. to sell Samsung mobile devices in the United States.
3. Samsung Electronics has been manufacturing the S7500 World Series S7500 since 2011.
4. Alliance Programs has been representing the S7500 World Series S7500 into the United States since August 2011.
5. Alliance Programs, Inc. entered into a manufacturing agreement with Samsung Electronics Co., Ltd. on June 15, 2012 for the supply of S7500 mobile phone and replace into the USA.
6. The S7500 World Series S7500 mobile phone has modified to changed since it was first supplied into the USA.
7. I have not sold and never plans of the S7500 World Series S7500 S7500 Series Samsung S7500 in the U.S. since 2011, 2012, 2013, 2014, and 2015, which is understood by me and my attorney.
8. The above statement is true and correct to the best of my knowledge and belief as of the date of this declaration.
9. I have not made any statement in the past or future that is contrary to the above.

October 13, 2014

Created: October 13, 2014
By: J.J. LLAPC (jj@llapc.com)
Status: SIGNED
Transaction ID: XF85BLL2B5P2U3Y

Document created by J.J. LLAPC (jj@llapc.com)

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 Signed document emailed to GENE CHANG (cclmp@hotmail.com) and J.J. LLAPC (jj@llapc.com)

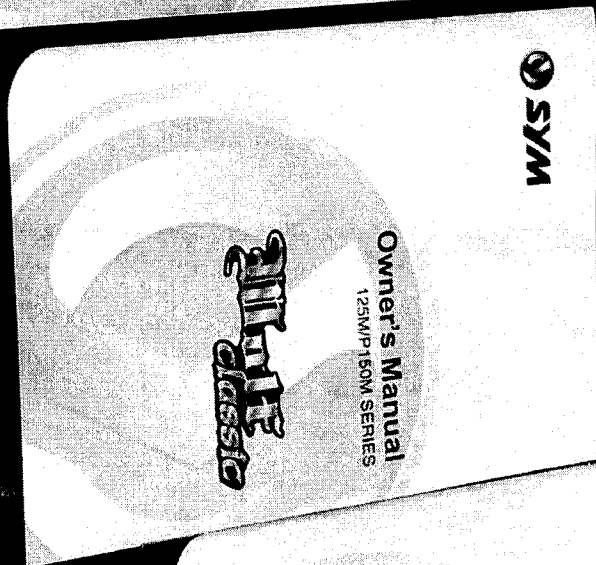
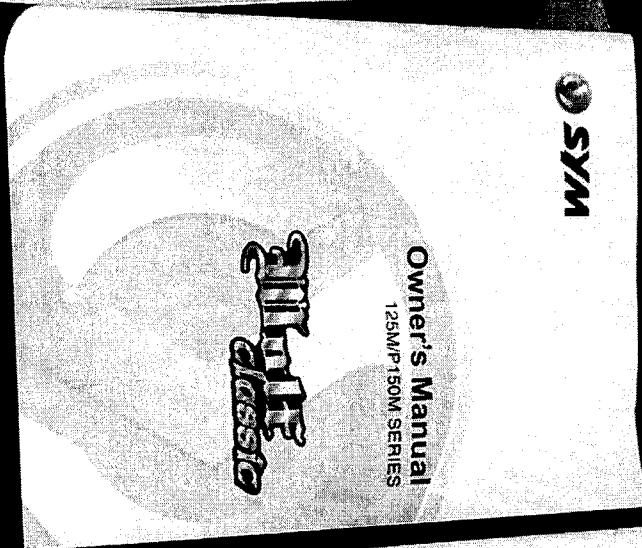




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Hsin-Chu County, 303

Taiwan, R.O.C

Reporting Safety Defects

If you believe that your vehicle has a defect which could cause a crash or could cause injury or death, you should immediately inform the National Highway Traffic Safety Administration (NHTSA) in addition to notifying Sanyang Industry Co., Ltd.

If NHTSA receives similar complaints, it may open an investigation, and if it finds that a safety defect exists in a group of vehicles, it may order a recall and remedy campaign.

However, NHTSA cannot become involved in and individual problems between you, your dealer, or Sanyang Industry Co., Ltd.

To contact NHTSA you may either call the Auto Safety Hotline toll-free at 1-800-424-9393 (366-0123 in Washington, DC area) or write to:

NHTSA

U.S. DEPARTMENT OF TRANSPORTATION

400 7 th Street SW, (NSA-11)

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Hsin-Chu County, 303
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Reporting Safety Defects

If you believe that your vehicle has a defect which could cause a crash or could cause injury or death, you should immediately inform the National Highway Traffic Safety Administration (NHTSA) in addition to notifying Sanyang Industry Co., Ltd. If NHTSA receives similar complaints, it may open an investigation, and if it finds that a safety defect exists in a group of vehicles, it may order a recall and remedy campaign. However, NHTSA cannot become involved in and individual problems between you, your dealer, or Sanyang Industry Co., Ltd.

To contact NHTSA you may either call the Auto Safety Hotline toll-free at 1-800-424-9393(366-0123 in Washington, DC area) or write to:

U.S. DEPARTMENT OF TRANSPORTATION
400 7 th Street SW, (NSA-11)
Washington, DC 20509.

You can also obtain other information about motor vehicle safety from the Hotline.

1. CONTENTS	
2. CONTROL LOCATION	
3. BEFORE RIDING	
4. USE GENUINE SPARE PARTS	
5. SAFE RIDING	
6. RIDING	
7. USE OF EACH COMPONENT	
Gauges	
Operation of Ignition switch	
Steering handle lock	
Use of buttons	
Fuel tank cap	
Fuel coke	
Rear shock absorber adjustment	
Brake	
8. IMPORTANT POINTS AND CAUTION	
Method of starting the engine	
9. RIDING THE MOTORCYCLE	
Set up riding	
Riding in grade	



4. SAFETY DEFECT REPORT

SANYANG INDUSTRY CO., Ltd.
NO. 3, chung-Hua Road
Hukou Shiang
Hsin-Chu County, 303
Taiwan, R.O.C.

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8. IMPORTANT POINTS AND CAUTIONS FOR STARTING ENGINE	
Method of starting the engine	
9. RIDING THE MOTORCYCLE	
Set up riding	
Riding in grade	
Transmission operation	
Correct riding	
The control of throttle valve handle	
Parking method	
10. INSPECTION AND MAINTENANCE BEFORE RIDING	
Routine inspection	
Fuel inspection	
Fuel coke cleaning	
Engine oil inspection and change	
Oil filter cleaning	
Inspection and adjustment of brake free play	
Clutch lever	
Throttle valve handle clearance adjustment	

SYM

RIDING IN GRADE

Up Grade
Riding up a slightly grade can be with high position gear. Under heavy loading or when riding on a steep grade, it is better to ride with low gear.



THE CONTROL OF THROTTLE VALVE HANDLE

Acceleration : To increase speed. When riding on an inclined road, turn the throttle valve handle slowly to allow the engine to output its power.

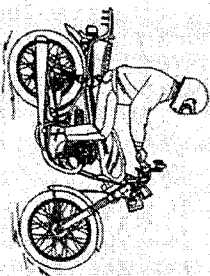


Deceleration : To decrease speed.

Maintenance Performance : During the initial period, it is better to ride in low speed for turning the engine in good condition and long life. During the first month or first 1,000 km, never exceed 80km/h. Avoid abrupt acceleration. Avoid engine running at RPM (over 8,000RPM) while under no load.

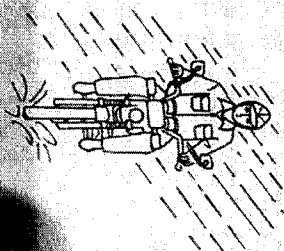
Never Making Abrupt Braking Or Making A Full Turn.

Make braking or making a full turn may cause wheel slip.
When riding in wet or rainy conditions, making abrupt braking or making a turn may cause wheel slip, may lose control of the motorcycle.



Extreme Caution When Riding in Rainy Condition.

When riding in wet or rainy conditions, needs longer distance to stopping the motorcycle. Slow the motorcycle down early to brake. When descending a grade, close the throttle fully and use both brakes to slow the motorcycle.



SYM

RIDING IN GRADE

THE CONTROL OF THROTTLE VALVE HANDLE

Acceleration : To increase speed. When riding on an inclined road, turn the throttle valve handle slowly to allow the engine to output its power.

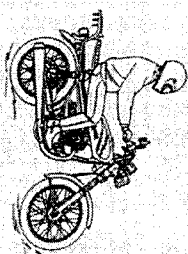


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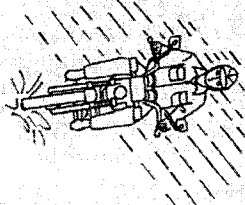
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9. Riding the motorcycle

THE CONTROL OF THROTTLE VALVE HANDLE

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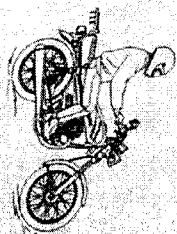


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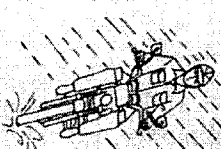
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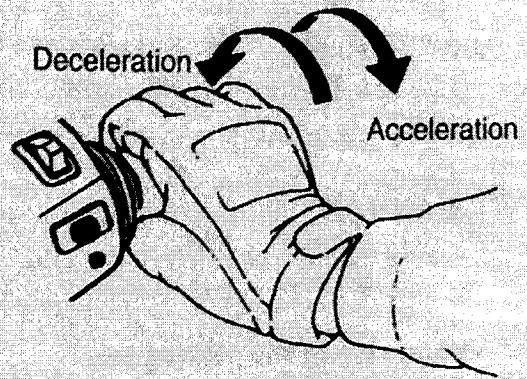


9. Riding the motorcycle

THE CONTROL OF THROTTLE VALVE HANDLE

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Deceleration : To decrease speed.



Maintenance Performance-During the initial period, it is better to ride in low speed for running the engine in good condition and long life.

During the first month or first 1,000 km, never exceed 80km/h.

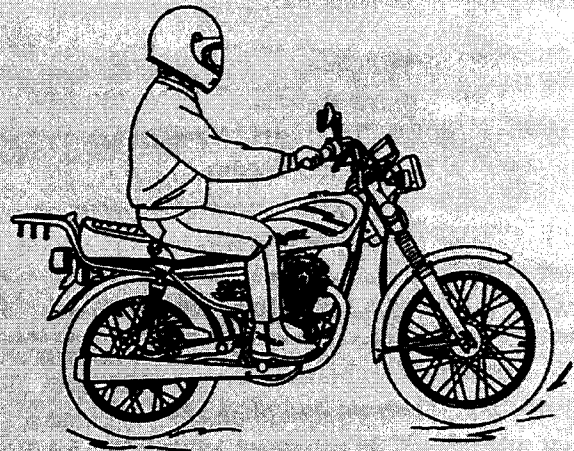
Avoid abrupt acceleration.

Avoid engine running in RPM (over 8,000RPM) while under no load.

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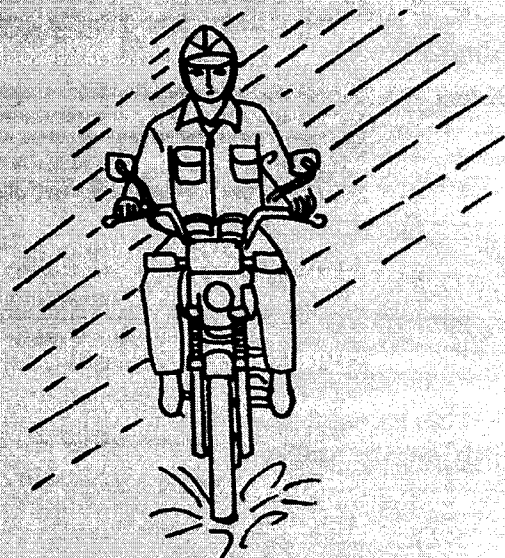
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When descending a grade, close the throttle fully and use both brakes to slow the motorcycle.





Model		PA12B	PA12C
Item	Specification		
Length		1,910 mm	1,925 mm
Width		760 mm	725 mm
Height		1,030 mm	1,075 mm
Wheel base		1,210 mm	1,235 mm
Weight		118.5 kg	124 kg
Engine		4-stroke single cylinders engine	
Cooling type		Unleaded (octane 90 or higher)	
Cement		Air-cooled	
Compression ratio		124.0 c.c.	
Max. HP		9.0:1	
Max. torque		14 ps/9,500 rpm	
Idle		1.0 kg-m/7,500 rpm	
Starting methods		1,500±100 rpm	
Front shock absorber		Electrical & foot type	
Rear shock absorber		Telescope	
Clutch		Unit swing	
Transmission		Wet disk type	
Front tire		Gear	
Rear tire		2.75 - 18 - 42P	
Wheel rim		3.00 - 17 - 45P	
		Steel	

Front: STD + 20.1.2

Model		PA12E	PA15E
Item	Specification		
Length			
Width			1,940 mm
Height			775mm
Wheel base			1,045 mm
Net Weight			1,250 mm
Type			
Fuel			130 kg
Cooling type			4-stroke single cylinders engine
Displacement			Unleaded (octane 90 or higher)
Compression ratio			
Max. HP			
Max. torque			
Idle			
Starting methods			
Front shock absorber			Electrical
Rear shock absorber			
Clutch			
Transmission			
Front tire			
Rear tire			
Wheel rim			

www.sym.com

Model 1200 Super (color size)

Classic

Classic

Total order subject to financing

ALL
NO RE
442 NO F

Classic 150cc

Model 1200 Super (color size)
Classic 150cc



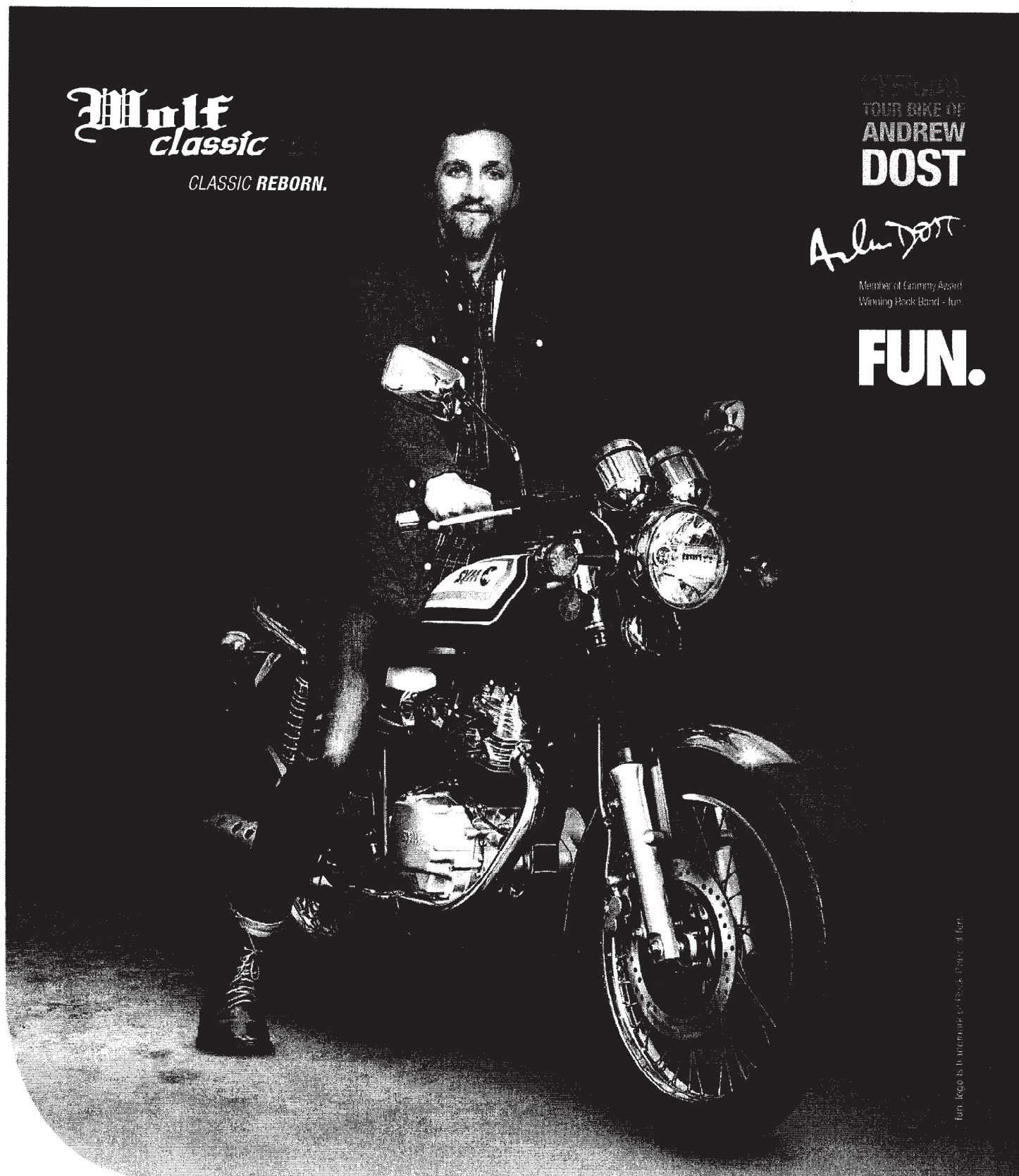
Wolf
classic
CLASSIC REBORN.

SPECIAL
TOUR BIKE OF
**ANDREW
DOST**

Andrew Dost

Member of Grammy Award
Winning Rock Band - Fun.

FUN.



Fun. logo is a trademark of Funky Brand of Fun.

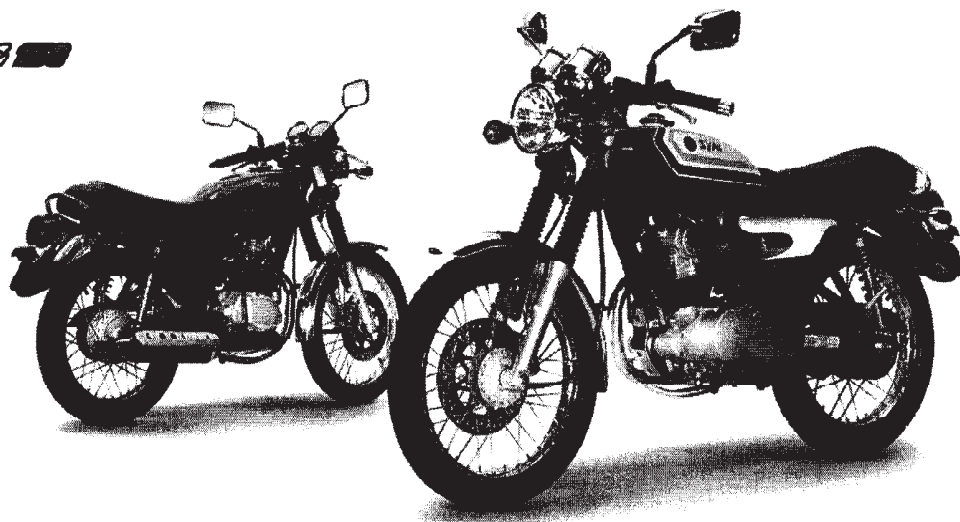
Exhibit
22



SYM
Engine of Life
Made in Taiwan

Mini
classic

85
mpg



*Based on tests conducted in ideal conditions. Actual mileage may change due to rider habits, conditions, rider weight and air riding style.

Highlights



- ▶ Classic Style Motorcycle
- ▶ 5-Speed Transmission
- ▶ Vintage Style Muffler

- ▶ 30" Seat Height
- ▶ 85 MPG*
- ▶ Made in Taiwan

Specifications

ENGINE / DRIVETRAIN

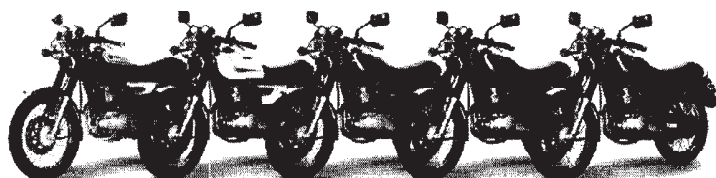
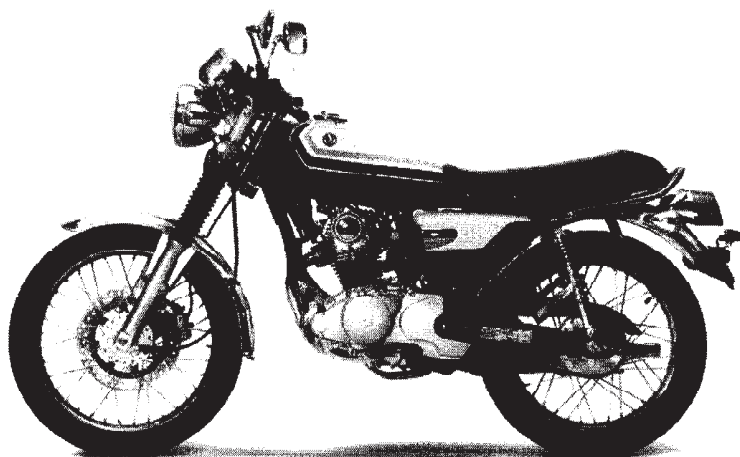
Displacement	149.4 cc
Horsepower	14.79 hp - 8,500 RPM
Max Torque [nm/(r/min)]	9.04 lb/ft - 9,000 RPM
Cooling System	Air
Transmission	5-Speed, Circulated
Ignition	CDI
Top Speed	65.5 mph

CHASSIS / SUSPENSION / BRAKES

Front Suspension	Telescopic Fork
Rear Suspension	Swing Arm
Front Brakes	Disk (240mm)
Rear Brakes	Drum (130mm)
Front Tires	2.75 - 18
Rear Tires	3.00 - 17

CAPACITIES / DIMENSIONS / ADDITIONAL INFO

Weight Capacity	360 Lbs
Net Weight	260 Lbs
Fuel Capacity	3.3 Gallons
Length	77.95"
Width	30.51"
Height	41.73"
Seat Height	30"
Wheelbase	49.21"
Warranty	24 Month
MSRP	\$2,999



distributed by

alliance powersports

www.alliancepowersports.com



Exhibit 23

Commercially Sensitive

Order Form

Exhibit 24

Commercially Sensitive

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SYM Wolf Classic 150

Made for the rebel without a cause, or the vintage enthusiasts.

The Sym Wolf Classic 150 shows off its aggressiveness and power on any road. The front disc offers exceptional cooling, braking and safety. The headlight is equipped with H4 Halogen lamp for extra brightness and wider sight. Ergonomic designed seat is comfortable for both single and double riders. The chassis is lightweight and handling is crisp and precise. With a seat height of 29.9", average male and female riders are able to have both feet planted for a more secure ride.

Highlights

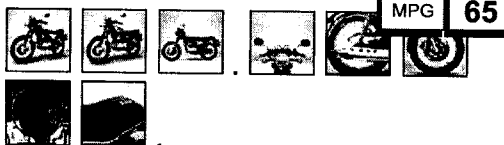
- High-Performance Engine
- Environmental Friendly Muffler; Less Noise & Pollutants
- EPA & DOT Approved, C.A.R.B. Approved for CA
- 24 Months Limited Warranty

Wolf Classic 150cc Specifications

Overview

Model Year:	2012
Engine:	4-stroke engine(OHC); 149.4 cc
Starter:	Electrical Starter
Weight Capacity:	508 lbs

SYM Wolf Classic 150cc Scooter



Price:
\$3,099

No hidden fees, such as shipping, handling, dealer prep, etc.

Buy Online

Buy your SYM Wolf Classic 150cc online.

How it works... [Frequently Asked Questions](#)

Pick a color...

Red / White Two-Tone ▼

These guys rock! We shopped everywhere else first. But we were blown away when we got here.

—Kelly B.

Second City Scooters

5578 N. Lincoln Ave.
Chicago, Illinois, 60625
(773) 754-8533

Store Hours:

Tue. - Fri.: 11 a.m. - 7 p.m.
Sat.: 10 a.m. - 4 p.m.
Sun. - Mon.: Closed

Scooter Financing



HARRIS



Authorized Dealer

SYM

Lance Powersports

BMS Motorsports

Exhibit

25

Seat Height:	29.9 in.
Top Speed:	65.5 MPH
MPG:	85 MPG*
Government Certifications:	EPA & DOT Approved, C.A.R.B. Approved for CA
Warranty:	24 Months Limited Warranty

<http://www.facebook.com/...>

Engine/Drive Train

Displacement:	149.4 cc
Type:	4-stroke engine(OHC)
Compression Ratio:	9.6 : 1
Horsepower:	14.79 hp - 8,500 RPM
Max Power [kw/(r/min)]:	TBD
Max Torque [n.m/(r/min)]:	9.04 lb/ft - 9,000 RPM
Cooling System:	Air Cooled
Transmission:	5-speed, Circulated
Clutch:	Wet Disk Type
Drive:	Chain
Starter:	Electrical Starter
Ignition:	CDI
Spark Plug:	NGK D7EA
Battery Capacity:	12V 7Ah
Top Speed:	65.5 MPH

Join the conversation

Chassis/Suspension/Brakes

Frame:	High Strength Steel
Front Suspension:	Telescope
Rear Suspension:	Swing Arm
Front Brakes:	Disk (240mm)
Rear Brakes:	Drum (130mm)
Front Tires:	2.75 - 18
Rear Tires:	3.00 - 17
Wheel:	Aluminum

Capacities/Dimensions

Weight Capacity:	508 lbs
Net Weight:	266.7 lbs
Fuel:	Unleaded (90 octane or higher)
Fuel Capacity:	3.3 Gallons
Ground Clearance:	TBD
Length:	77.95 in.
Width:	30.51 in.
Height:	41.73 in.
Seat Height:	29.9 in.
Wheelbase:	49.21 in.
Age Recommendation:	16+
MPG:	85 MPG*

*Based on tests conducted in lab conditions. Actual mileage of the Wolf Classic 150cc may vary depending on vehicle condition, weather, rider weight and riding style.

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Site Designed by [Dennis Deacon](#) & [Linda Ryder](#).

Town and Country Cycles



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TPGS109 70cc Youth
\$675.95



Mid XRX
\$1,495.00



Mini XRX
\$1,195.00



TPGS-134 125cc Youth
\$979.95



110 Youth ATV (std)
\$795.00

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Use keywords to find
the product you are
looking for.

Advanced Search



110 Youth ATV (wide)
\$835.00



Wolf Classic 150
\$2,999.00



Agora 4T
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BLACK/SILVER
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Home > Motorcycles > 150cc SYM Wolf Classic

150cc SYM Wolf Classic

List Price: \$3,499.00
Sale Price: \$2,999.00

In Stock

Manufacturer: SYM
Manufacturer Part #: Wolf
Local Pick-Up Only

Select Options

* denotes required field

Select 1st Color *

Select ...

Select 2nd Color *

Select ...

Extended Warranty *

Select ...

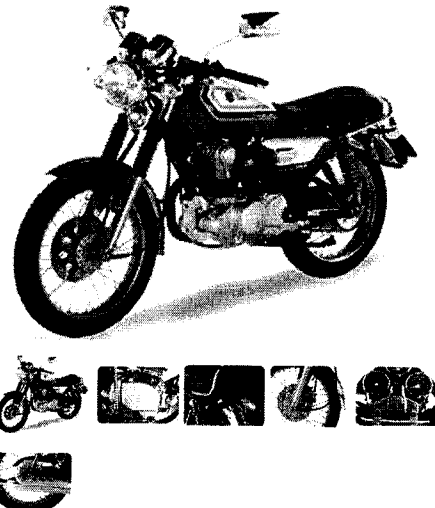
Delivery *

Select ...

Quantity:

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Specifications:

Engine / Drive Train

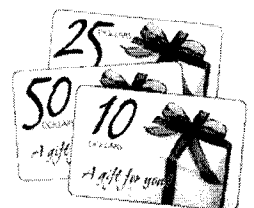
Displacement:	150cc, 4-Stroke, 1-Cyl
Horsepower:	8.7 HP
Max Power [kw/(r/min)]:	6.7/8500
Max Torque [n.m/(r/min)]:	5.0/6000
Cooling System:	Air Cooled
Transmission:	4-Speed Manual (1-N-2-3-4)
Drive:	Chain
Starter:	Electric / Kick
Ignition:	CDI
Top Speed:	65+ MPH (Depending on Riders Weight and Road Conditions)

Chassis / Suspension / Brakes

Frame:	High Strength Steel
Front Suspension:	Leading Link
Rear Suspension:	Swing
Front Brakes:	Disc
Rear Brakes:	Drum
Front Tires:	2.75 - 18

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Financing Available



Gift Certificates

Exhibit
26



EXTENDED WARRANTY

We offer up to 36 mos. of extended warranty so you can have a piece of mind.

LOCAL PICK-UP AVAILABLE

Come Visit Our Showroom Today.

WHY BUY FROM US?

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Dr. Pulley®

MALOSSI

polini



Rear Tires:

3.00 - 17

Controls / Safety

Lighting:

Headlight (High & Low Beams), Tail Light, Front & Rear Turn Signals

Controls:

Front & Rear Brake Levers, Keyed Ignition, Headlight Switch, Horn, Emergency Shut-Off Switch, Odometer, Fuel Gauge, Speedometer, Dimmer Switch

Capacities / Dimensions

Weight Capacity:

330 Lbs

Net Weight:

210 Lbs

Ground Clearance:

7"

Length:

75"

Width:

30"

Height:

42"

Seat Height:

30"

Wheelbase:

48"

Age Recommendation:

16+

Others

Free:

Tool Kit, Tech Support

Government Certifications:

EPA Approved, DOT Approved Street Legal, C.A.R.B. Approved in CA.

Additional Info

Assembly:

This item comes 85% assembled (battery set up, mirrors and minor adjustments may be required). Be sure to tighten all screws and check for appropriate levels of engine fluid prior to operation. Warranty is valid straight from the box.

Limited Warranty:

12 Months Engine and Drive Train Warranty

Features:

Free: 12 Months Limited Warranty

Free: Customized Decals and Graphics

Free: Owner's Manual Handbook

Free: Tool Kit

Free: Technical Support

EPA / DOT Approved Street Legal:

This gas scooter is EPA and DOT Approved and is registerable as a street legal vehicle in all 50 states.

70-90 MPG:

This motor scooter can get up to 90 miles to the gallon. This kind of gas mileage makes this scooter very fuel efficient and economical. This vehicle is the perfect alternative to cars and motorcycles to save on gas and keep extra money in your pocket!

Electric Start / Kick Start:

This SYM Wolf Classic has two starting systems that allow this scooter to be very efficient. The electric start starting system makes simple starting even easier for anyone. The kick start can also be used at any time. The dual starting systems are very convenient in the event that one cannot be used, and it is always a great alternative to have two options rather than one.

4-Speed Manual Transmission:

The SYM Wolf Classic comes with a 4-speed manual transmission, which enables you to ride with maximum power.

Emergency Shut-Off Switch:

This SYM Wolf Classic comes with shut-off switch in case of any emergency. With one press of the button it automatically cuts the engine so you can stop easily.

4-Stroke Engine:

This gas motor scooter is equipped with a 150cc 4-stroke engine that has a 65+ MPH speed capability. This engine is very reliable and will outlast any other engine on the market.

Air-Cooled:

The cooling system on this model is designed to an incredibly high standard. It keeps the engine temperatures level while offering the perfect amount of power for a more reliable engine and quality scooter.

California C.A.R.B. Approved Legal in all 50 States:

This vehicle is registerable and legal in all 50 states including California.

Title/MSO/MCO

All mopeds come with a Manufacturers Certificate of Origin and a Bill of Sale for registration purposes. Be sure to check with your local DMV or state authority for registration requirements prior to purchase.

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At Scooter Dynasty, we are dedicated to customer satisfaction ensuring the delivery of quality goods and services. We strive to be the #1 powersport solutions to our customers by adding more of the top name brands such as Tank Sports, BMS Motorsports, Lance Powersports, Roketa, Motobravo to name a few to our inventory of ATVs, Dirt Bikes, Go Karts, and Moped Scooters. We believe we have the best team of people and support that our customers can rely on. Our customers can assure that we are committed to 100% customer satisfaction. It comes through when we have repeat and referred customers.

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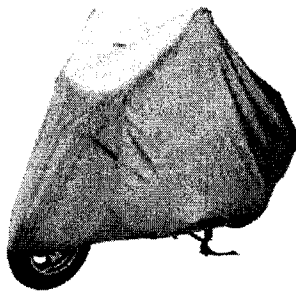
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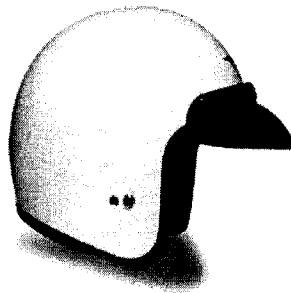


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Cover for Scooters

List Price: \$59.99
Sale Price: \$49.99



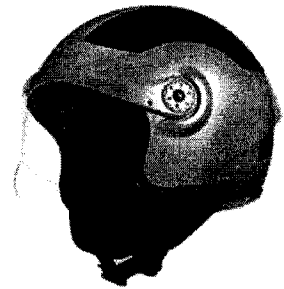
VCAN V500 Open Face Helmets

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★★★★★



DOT Approved



VCAN V528 Milano 3/4 Shell On-Road Helmet

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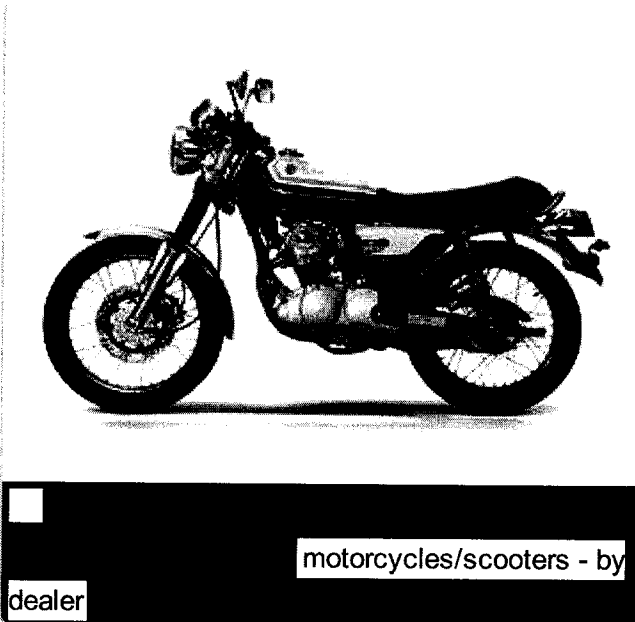
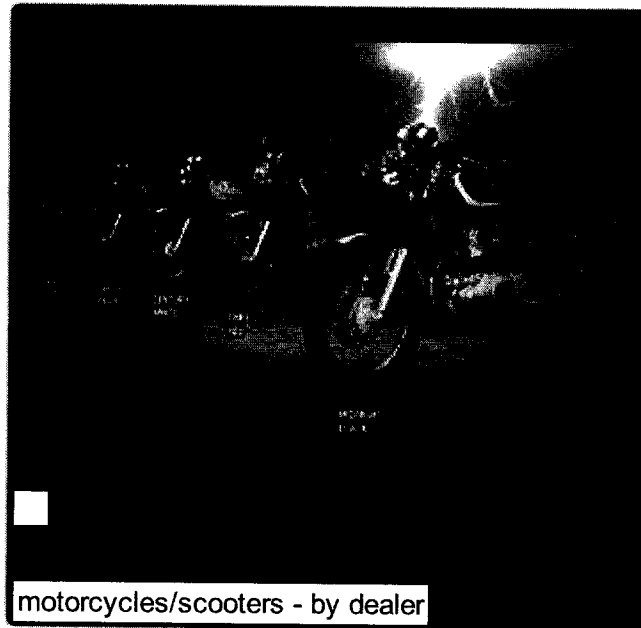
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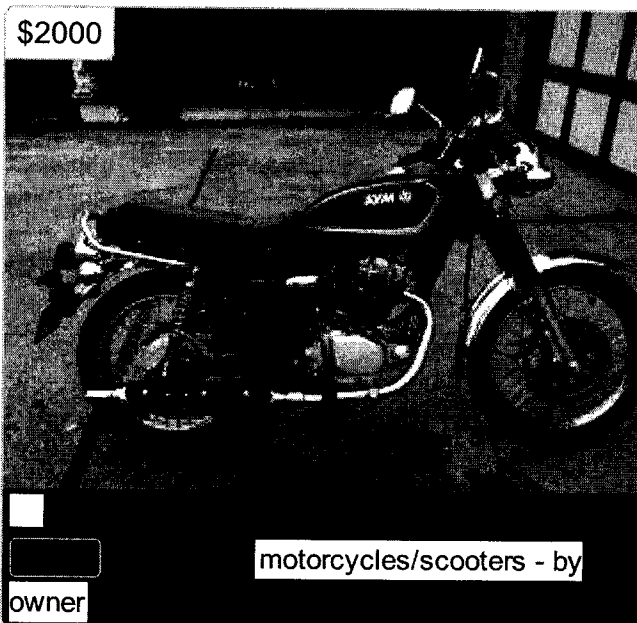
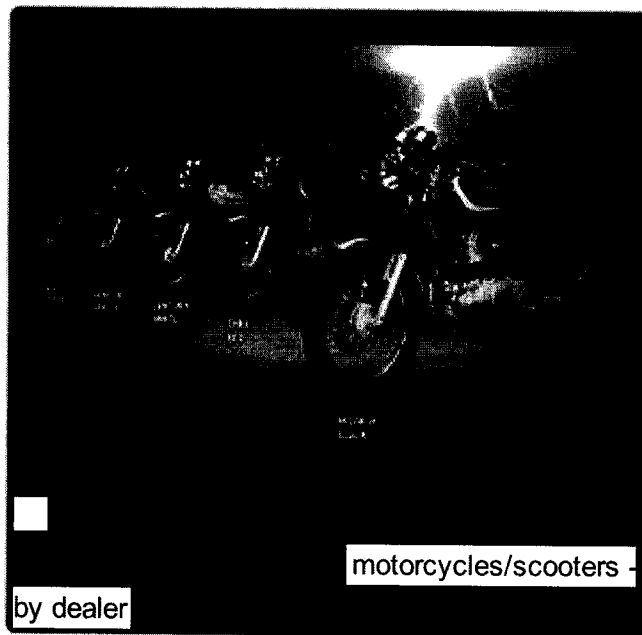
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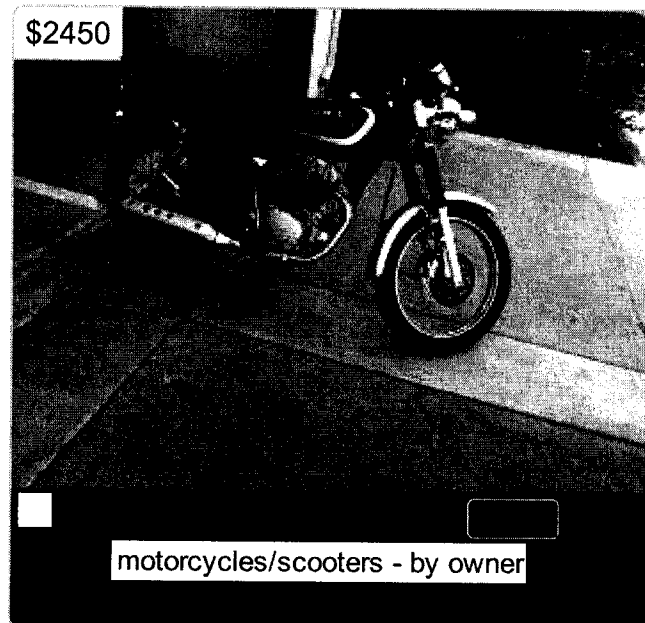
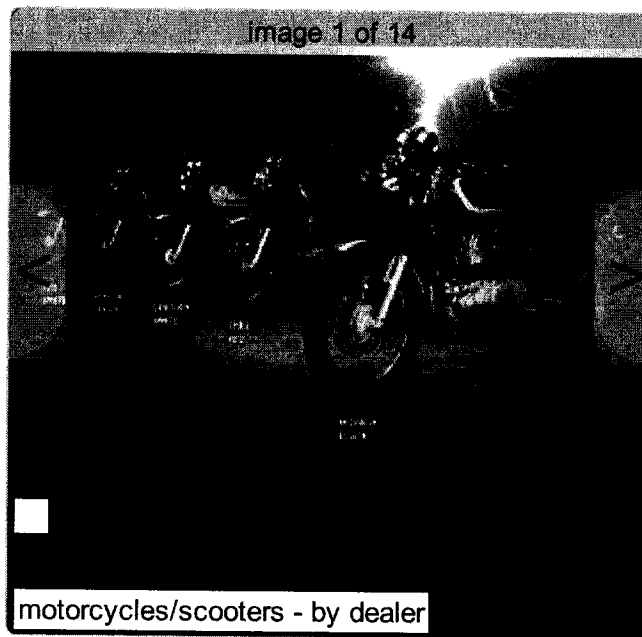
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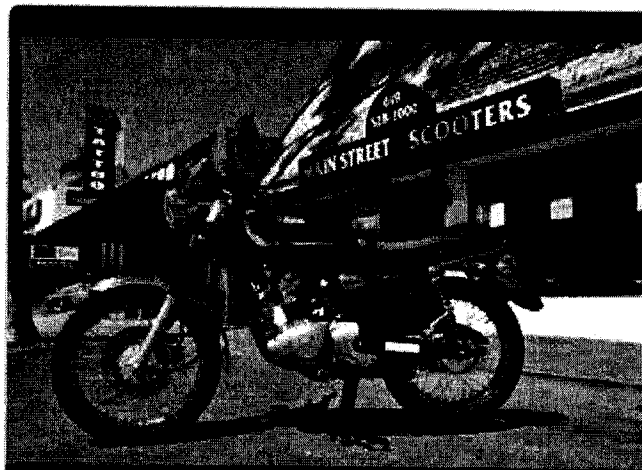
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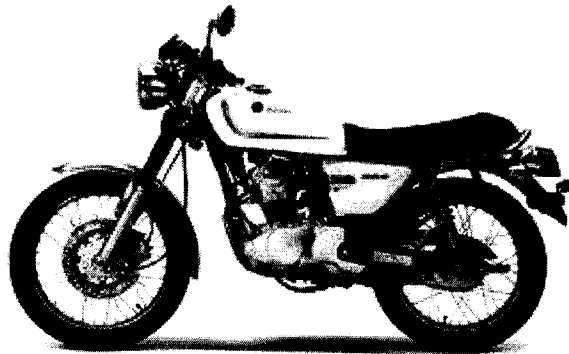




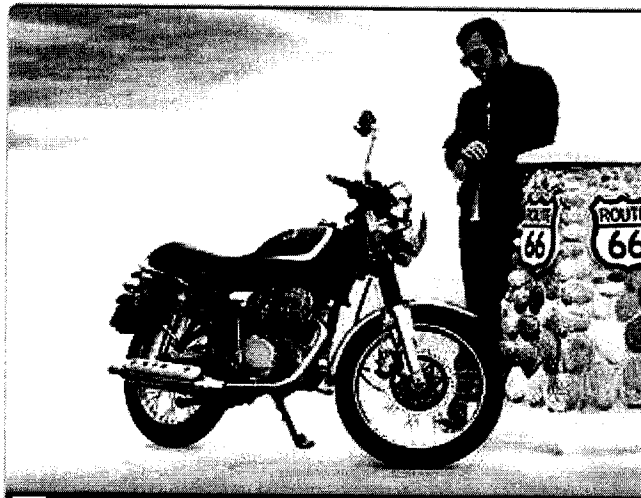
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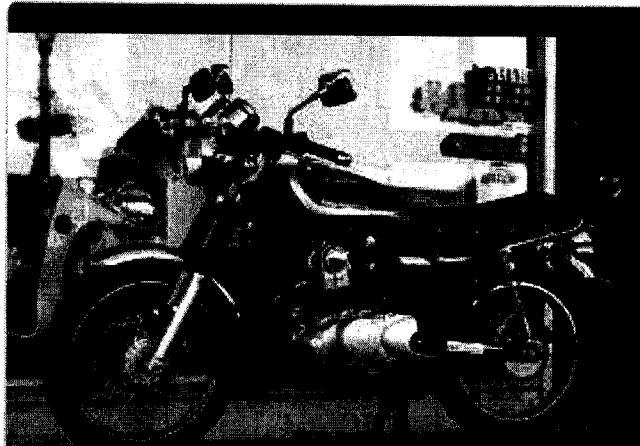
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motorcycles/scooters - by

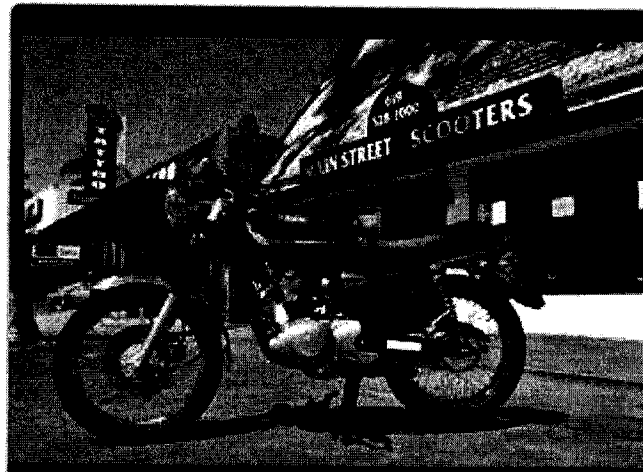


motorcycles/scooters - by

\$50



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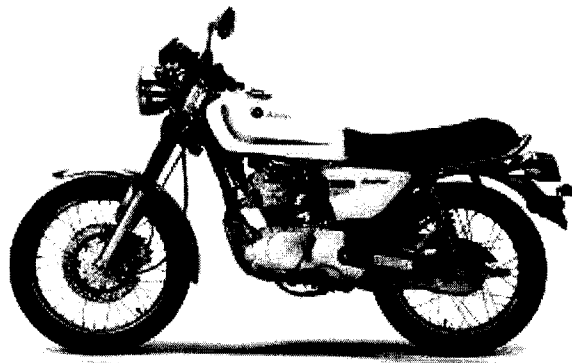


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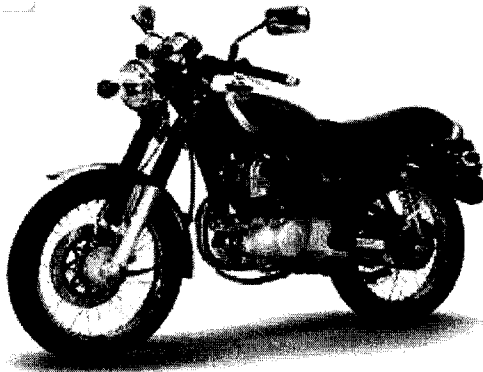
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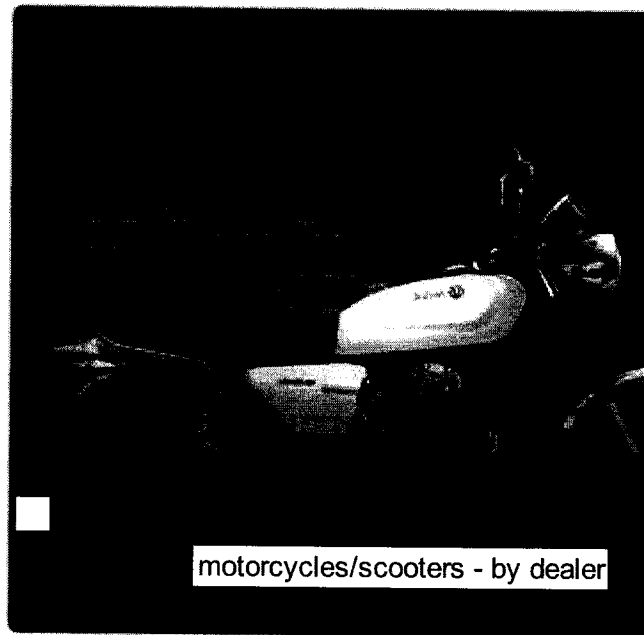
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Exhibit 21

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Dealer Agreement